COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION 2-1

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
April 14, 2005	Stephanie Fuhs, Planner 781-5721 John McKenzie, Environmental Specialist 781-5452	Carpenter Canyon Estates	TRACT 2542 S020346T

SUBJECT
Request by Carpenter Canyon Estates/Engineering Development Associates for a Vesting Tentative Tract Map to subdivide an existing 27.4 acre parcel into nine parcels of between 2.5 and 4.2 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Highway 227. The project will result in the disturbance of approximately 10 acres of a 27.4 acre parcel. The division will create one on-site road. The proposed project is within the Residential Suburban land use category and is located at 757 Carpenter Canyon Road (Highway 227), on the west side of Carpenter Canyon Road, approximately 1/2 mile north of Printz Road, approximately 1/2 mile north of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area.

RECOMMENDED ACTION
1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.
2. Approve Vesting Tentative Tract 2542 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on March 3, 2005 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Geology and Soils, Noise, Public Services and Utilities, Wastewater and Water and are included as conditions of approval.

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Suburban	None	047-137-021	4

PLANNING AREA STANDARDS:
22.106.030 – Arroyo Grande Fringe Area Standards

LAND USE ORDINANCE STANDARDS:
22.22.070 – Subdivision Design Standards – Residential Suburban Land Use Category

EXISTING USES:
Undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential Suburban/Residences
East: Residential Suburban/Residences
South: Residential Suburban/Residences
West: Residential Suburban/Residences

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, County Parks, CDF, APCD, Cal Trans	
TOPOGRAPHY: Moderately to steeply sloping	VEGETATION: Grasses, forbs, oak woodland, eucalyptus
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: October 28, 2003

ORDINANCE COMPLIANCE:

Minimum Parcel Size
Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 2.5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 16 and 30%	2 acres
Water Supply and Sewage Disposal	On-site well On-site septic	2.5 acres

Quimby Fees
Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees
Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards
The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

BACKGROUND
The project was originally submitted in April 2003 and proposed ten parcels with removal or impacts to nearly 500 trees, including 150 coast live oak trees. Planning and Environmental Coordinator's office staff worked with the original applicant to redesign the project to lessen the impact to the existing vegetation and reduce the number of proposed parcels. The revised project was resubmitted in Spring 2004 and proposed nine parcels and reduced the number of oak trees to be removed or impacted to 55 (25 to be removed, 30 impacted). Planning and Environmental Coordinator's office staff has worked with the new owner to develop mitigation measures including a mitigation monitoring plan in order to address the numerous environmental impacts associated with this project.

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PLANNING AREA STANDARDS:
22.106.030 – Arroyo Grande Fringe Area Standards (Residential Suburban): New land divisions must provide the Department of Environmental Health with information to show that there are adequate ground water resources to serve the proposed land division and each proposed parcel can accommodate an individual sewage disposal system. The Environmental Health Department has reviewed the proposal and stated that there appears to be preliminary evidence of adequate water and space for individual wastewater systems based on the applicant providing deep soil borings and percolation tests for each parcel prior to recordation of the final map.

AGENCY REVIEW:
Public Works – Concern over driveway slope, amount of open space
Environmental Health – Require complete chemical analysis, pump test and well drillers report and a deep soil boring and three percolation tests for each parcel
County Parks – Require Quimby and Building Division fees
CDF – See attached fire safety plan
APCD – Inconsistent with the Clean Air Plan
Cal Trans – Require sight distance evaluation, encroachment permit required

LEGAL LOT STATUS:
The two lots were legally created by a recorded map at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on March 3, 2005, for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Geology and Soils, Noise, Public Services and Utilities, Wastewater and Water and are included as conditions of approval.

Tentative Map

B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.

C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.

D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.

E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and residential accessory uses.

F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single family residences and residential accessory uses.

G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because add specific reason.

H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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CONDITIONS - EXHIBIT B
CONDITIONS OF APPROVAL FOR TRACT 2542 (CARPENTER CANYON ESTATES)

Approved Project

1. A Vesting Tentative Tract Map to subdivide an existing 27.4 acre parcel into nine parcels of between 2.5 and 4.2 acres each for the purpose of sale and/or development

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:

   a. The on-site street constructed to an A-1 section within a 50-foot dedicated right-of-way.

3. The applicant offer for dedication to the public by certificate on the map or by separate document:

   a. A minimum 20 foot radius property line return at the intersection of the on-site street and Highway 227.

   b. The 50 foot road easement terminating in a county cul-de-sac as shown on the tentative map.

   c. The intersection of the on-site street and Highway 227 be designed in accordance with California Highway Design Manual.

   d. Access be denied to lots 2, 3, and 4 from Highway 227 and that this be by certificate and designation on the map.

   e. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
   a. Street plan and profile.
   b. Drainage ditches, culverts, and other structures (if drainage calculations require).
   c. Water plan (County Health).
   d. Grading and erosion control plan for subdivision related improvement locations.
   e. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
   f. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building (see biological mitigation measures).

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5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

7. Submit complete drainage calculations to the Department of Public Works for review and approval.

8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.

9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
    a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

10. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

11. **Prior to the filing of the final parcel or tract map**, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer, **for each parcel**. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Utilities

12. Electric and telephone lines shall be installed underground.

13. Cable T.V. conduits shall be installed in the street.

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14. Gas lines shall be installed.

Design

15. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Fire Protection

16. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per the CDF letter dated July 16, 2004.

Parks and Recreation (Quimby) Fees

17. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

18. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

19. **Prior to recordation of the final map,** an open space easement be recorded for the open space area, as shown on the tentative tract map. It is to be held in common by the Homeowner's Association. The open space parcel is to be maintained as such in perpetuity. The terms of the open space easement will allow only activities that help the long term protection of native plant species. No off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities is allowed in the open space easement area with the exception of leach lines for proposed parcels 2 and 3 which may be located within the easement area outside of the driplines of existing coast live oak trees.

Mitigations

20. **Prior to commencement of tree removal associated with subdivision improvements and as part of subdivision improvement plans**, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any

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construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

21. **Upon submittal of the tract improvement plans**, a tree replacement plan shall be included, which shows all coast live oak trees (with 6" diameter or greater at 4 feet from ground) to be removed (up to 25) and impacted (up to 30). Removed trees shall be replaced at a 4:1 ratio and impacted trees at a 2:1 ratio, which equates to approximately 160 tree seedlings, depending upon the actual amount of tree removal. Average tree planting density shall be no greater than 10 feet on center. The tree replacement plan shall also indicated the method for irrigation, mulching, caging and what amendments will be used until the plants are successfully established. These seedlings will be cared for (e.g. adequate watering, weeding, remedial work) until they are successfully established. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

22. **At the time of final inspection of subdivision improvements and as part of the subdivision improvement plans**, the applicant shall submit a letter from the qualified botanist stating that all of the required replacement/ landscaping vegetation was planted and any other related specified measures are in place (e.g., irrigation, mulching, etc.).

23. **Prior to recordation of the final map**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than five years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the five year monitoring period shall be the responsibility of the applicant.

24. **Prior to recordation of final map or approval of subdivision improvement plans,** whichever occurs first, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of five years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to initiation of subdivision improvements or site grading, a performance bond, equal to the cost estimate, shall be posted by the applicant.

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25. **At the time of application for subdivision improvement plans,** the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

26. **At the time of application for, and prior to approval of subdivision improvement plans,** the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

27. **Prior to final inspection of subdivision improvements**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.

    a. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to

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either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

b. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

28. **Prior to approval of the subdivision improvement plans,** to minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/ tract improvements and for the life of the project:

a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.

b. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan.

29. **Upon submittal of tract improvement plans**, all measures provided in the Mitigation Monitoring and Reporting Plan (Appendix E, Botanical Assessment, Althouse and Meade, 2003) shall be shown on applicable plans relating to restoration of sensitive plants impacted. Should any measures conflict with conditions of approval, conditions of approval shall be considered superior. These measures shall be completed **prior to recordation of final map.**

30. **Prior to map recordation**, if it is shown that insufficient area is available for all restoration efforts of the sensitive vegetation impacted, the applicant shall submit for county-approval, an "Off-site Restoration Plan" (prepared by a county-qualified botanist) that shows a comparable off-site area can be restored with the sensitive plants needing planting off-site. Such a site must have the following components:

a. The off-site area is owned or controlled by a non-profit or governmental agency;

b. It is shown that the intent for the area will be to protect it in perpetuity with the primary goal to reestablish and maintain native habitat;

c. There is adequate area available for plant restoration (at maturity);

d. It is within close proximity of the subject property;

e. The area targeted is clearly shown to have all of the necessary requirements for successful reestablishment of the plant/habitat (that will be better than or equal to the area(s) being eliminated) without the need of any long-term artificial maintenance (other than occasional weeding and providing for temporary irrigation water);

f. If feasible or appropriate, the seed from the subject property shall be used for the target area, as determined appropriate by the botanist;

g. Submittal of a cost estimate by a qualified individual for: property acquisition, site evaluation reporting, all restoration work, and monitoring/ maintenance/ remedial work for at least 3 years;

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h. Payment by the applicant for the work described in the cost estimate, and establishment of a bond for the cost estimate to be held by the county until targeted area is considered successfully restored by botanist;
i. If targeted area fails, bond shall be applied to establishing a second area, using the criteria outlined above.

31. **Prior to recordation of the final map**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.
    a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
    b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.
    c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
    d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

32. **Prior to initiation of tract improvements**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

33. Show on the subdivision improvement plans that all disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

"CHAPARRAL" SEED MIX(1)

Species	lbs/ac
Adenostoma fasciculatum (chamise)	*0.50*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Dendromecon rigida (bush poppy)	*0.25*
Eriogonum parvifolium (buckwheat)	*0.20*

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Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

"COAST LIVE OAK" SEED MIX(1)

Species	lbs/ac
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.50*
Lotus scoparius (deerweed)	*0.50*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rosa californica (California rose)	*0.20*
Rubus ursinus (California blackberry)	*0.20*
Salvia spathacea (pitcher sage)	*1.00*

"COASTAL DUNE SCRUB" SEED MIX(1)

Species	lbs/acre
Abronia umbellata (pink sand verbena)	*0.25*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Corethrogyne filaginifolia (California aster)	*0.25*
Croton californicus	*0.20*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Horkelia cuneata	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rhamnus californica (coffeeberry)	*0.20*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

34. **Prior to approval of tract improvement plans**, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure compliance with County Conditions of Approval and Mitigated Negative Declaration measures relating to tract improvements. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor and any county administrative fees, shall be paid for by the applicant.

    The monitor will prepare a working monitoring plan that reflects the County-approved environmental mitigation measures/ conditions of approval. This plan will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with

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environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

As individual development is proposed, it will be reviewed by the county for the need of an environmental monitor. If an environmental monitor is determined necessary by the county, the monitor shall use the above process as it relates to the specific lot proposed for development.

35. **Prior to recordation of the final map,** The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

b. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated July 16, 2004 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

Aesthetics

c. **Prior to issuance of construction permits and prior to vegetation removal for Parcels 4-9,** the applicant shall show the 30-100 foot landscape easement (as shown on the tentative map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting. Where any construction is proposed within 25 feet, this easement shall be fenced to prevent construction impacts or vegetation removal. All smaller trees within this easement shall be retained. No trimming of any tree shall be allowed unless it is clearly shown to the county that trimming will eliminate an eminent health hazard. Plant material shall be evergreen, fast-growing, drought-tolerant, and properly sized to be in scale with the proposed structure and surrounding native vegetation. The landscape plan shall be approved by the County.

d. **Upon submittal of construction permits for each parcel**, plans shall show existing trees that are outside, but within 50 feet, of the building envelope that are also between the proposed structure and Highway 227. Working with CDF, residences shall be located far enough away from these trees to avoid the need of trimming or removing any of these potential screening trees.

e. **Prior to issuance of construction permits on all parcels**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors

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shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).

f. **Prior to issuance of construction permits on all parcels**, the applicant shall show the design of proposed residences with hipped roof forms or shaped to follow the sloped hill forms with rounded profiles. No projecting angles or long boxed ridgelines shall be allowed.

g. **Prior to issuance of construction permits on all parcels**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and Highway 227.

h. **Prior to issuance of construction permits for each parcel**, the applicant shall submit individual lot elevations along with a through the site cross section from the most visible points on Highway 227 and Royal Oak Way that clearly illustrates the relationship between the proposed development and the backdrop landforms (not including existing residences) to determine if silhouetting will occur with the proposed development. All efforts shall be made to avoid silhouetting (e.g., redesign, locate in less visible area, etc.). If any proposed structures could silhouette, the project shall complete a pre-construction visual study including, but not necessarily limited to, a pylon or stick simulation to represent the structure height at finished floor elevation to show that silhouetting will not occur. Should this study show that structures will be visible and could be more than one story and still not silhouette, the design of any two story structure shall be such to avoid any large massing or large vertical or horizontal uninterrupted surfaces. This study and proposed building plans shall be reviewed and approved by the County prior to permit issuance. In addition, the applicant shall provide to the county for approval how the design, materials, colors, location and landscaping of future residences will result in the building(s) receding into the existing natural environment, and screened from Highway 227 and Royal Oak Way views. If landscaping is required, a five year monitoring program shall be required to verify establishment of landscaping installed.

i. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans. All new development (e.g. residences, detached garages, guest houses, sheds, septic tanks and leach lines shall be completely located within the building envelope(s) and/or within the building control line(s), with the exception of leach lines, which may be located outside the envelopes, outside of the open space easement area (except on Parcels 2 and 3) and outside driplines of existing/replanted coast live oak trees or other sensitive vegetation, as identified in the botanical report.

j. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 227 or Royal Oak Way shall exceed six feet in vertical height above or below the existing ground surface. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.

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k. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 227 and Royal Oak Way. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

l. **At the time of application for construction permits for each parcel**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Highway 227 and Royal Oak Way.

m. Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 227 and Royal Oak Way. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.**

Air Quality

n. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

   a. Reduce the amount of disturbed area where possible,
   b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
   c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
   d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.

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e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.All dirt stock-pile areas should be sprayed daily as needed.

o. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Biological Resources

p. The following shall apply to the areas within the open space and those not specified as open space and outside of the specified building envelopes and access roads, and shall be shown on construction plans, **prior to issuance of construction permits**: no oak trees, or other visually significant vegetation, shall be impacted or removed except for areas proposed for leach fields (removing and impacting trees for leach lines shall be to the least extent feasible), or proposed eucalyptus removal area; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. As shown on exhibit "A" of the Mitigated Negative Declaration (open space areas and building envelopes), all applicable plans shall show open space areas and building envelopes, where all trees outside of the building envelopes shall be protected during all construction activities. Plans shall show how these trees will be protected from any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge (e.g., install sturdy fencing, install retaining walls, etc.). This protection shall be installed prior to construction work beginning and remain in effect during the entire construction phase.

q. **Prior to commencement of tree removal associated with new residential development**, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

r. **At the time of application for grading permits and/or construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these

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fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

s. **Prior to final inspection of grading and/or construction permits,** to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the three year monitoring period shall be the responsibility of the applicant.

t. **At the time of application for grading permits and/or construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

u. **Prior to final inspection of grading and/or construction permits**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.

v. Trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of

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the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

w. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

x. To minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/ tract improvements and for the life of the project:

1) All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
2) Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan as required by #36(m) above.

y. **Upon submittal of future individual lot construction permits for Lots 1 and 7**, applicable plans shall show those sensitive plants as identified in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). A county-qualified botanist shall identify the impacts to those plants, as well as identify how these impacts will be mitigated to result in no net loss of the species. Protection measures shall be installed prior to any ground disturbance. Replacement measures shall be completed prior to final inspection or occupancy, whichever comes first.

Geology

z. **Prior to issuance of construction permits on all parcels**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

aa. **Prior to issuance of construction permits on all parcels**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be

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used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.

b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.

c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.

d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

bb. All disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

"CHAPARRAL" SEED MIX(1)

Species	lbs/ac
Adenostoma fasciculatum (chamise)	*0.50*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Dendromecon rigida (bush poppy)	*0.25*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

"COAST LIVE OAK" SEED MIX(1)

Species	lbs/ac
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.50*
Lotus scoparius (deerweed)	*0.50*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rosa californica (California rose)	*0.20*
Rubus ursinus (California blackberry)	*0.20*
Salvia spathacea (pitcher sage)	*1.00*

"COASTAL DUNE SCRUB" SEED MIX(1)

Species	lbs/acre

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Abronia umbellata (pink sand verbena)	*0.25*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Corethrogyne filaginifolia (California aster)	*0.25*
Croton californicus	*0.20*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Horkelia cuneata	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rhamnus californica (coffeeberry)	*0.20*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

Noise

ee. **Upon submittal of construction permits for Lots 2, 3, and 4**, plans showing project design and location within the proposed building envelopes shall clearly show that all outdoor activity areas will be no closer than 129 feet from the centerline of Highway 227.

Wastewater

ff. **Prior to issuance of construction permits for all parcels**, the applicant shall submit soil boring information at the proposed leach line location showing that adequate distance to bedrock exists or shall submit plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Water

gg. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:

a. To maximize drought tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;

b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;

c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

d. Slopes for turf areas shall be no more than 4%.

hh. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 500 square feet with remaining landscaping being drought tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

ii. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.)

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shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

jj. **Prior to final inspection of construction permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

Covenants, Conditions and Restrictions

36. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
    a. Maintenance of all local streets within the subdivision until acceptance by a public agency.
    b. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
    c. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated July 16, 2004 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

    Aesthetics

    d. **Prior to issuance of construction permits and prior to vegetation removal for Parcels 4-9,** the applicant shall show the 30-100 foot landscape easement (as shown on the tentative map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting. Where any construction is proposed within 25 feet, this easement shall be fenced to prevent construction impacts or vegetation removal. All smaller trees within this easement shall be retained. No trimming of any tree shall be allowed unless it is clearly shown to the county that trimming will eliminate an eminent health hazard. Plant material shall be evergreen, fast-growing, drought-tolerant, and properly sized to be in scale with the proposed structure and surrounding native vegetation. The landscape plan shall be approved by the County.
    e. **Upon submittal of construction permits for each parcel**, plans shall show existing trees that are outside, but within 50 feet, of the building envelope that are also between the proposed structure and Highway 227. Working with CDF, residences shall be located far enough away from these trees to avoid the need of trimming or removing any of these potential screening trees.
    f. **Prior to issuance of construction permits on all parcels**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall

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minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).

g. **Prior to issuance of construction permits on all parcels**, the applicant shall show the design of proposed residences with hipped roof forms or shaped to follow the sloped hill forms with rounded profiles. No projecting angles or long boxed ridgelines shall be allowed.

h. **Prior to issuance of construction permits on all parcels**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and Highway 227.

i. **Prior to issuance of construction permits for each parcel**, the applicant shall submit individual lot elevations along with a through the site cross section from the most visible points on Highway 227 and Royal Oak Way that clearly illustrates the relationship between the proposed development and the backdrop landforms (not including existing residences) to determine if silhouetting will occur with the proposed development. All efforts shall be made to avoid silhouetting (e.g., redesign, locate in less visible area, etc.). If any proposed structures could silhouette, the project shall complete a pre-construction visual study including, but not necessarily limited to, a pylon or stick simulation to represent the structure height at finished floor elevation to show that silhouetting will not occur. Should this study show that structures will be visible and could be more than one story and still not silhouette, the design of any two story structure shall be such to avoid any large massing or large vertical or horizontal uninterrupted surfaces. This study and proposed building plans shall be reviewed and approved by the County prior to permit issuance. In addition, the applicant shall provide to the county for approval how the design, materials, colors, location and landscaping of future residences will result in the building(s) receding into the existing natural environment, and screened from Highway 227 and Royal Oak Way views. If landscaping is required, a five year monitoring program shall be required to verify establishment of landscaping installed.

j. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans. All new development (e.g. residences, detached garages, guest houses, sheds, septic tanks and leach lines shall be completely located within the building envelope(s) and/or within the building control line(s), with the exception of leach lines, which may be located outside the envelopes, outside of the open space easement area (except on Parcels 2 and 3) and outside driplines of existing/replanted coast live oak trees or other sensitive vegetation, as identified in the botanical report.

k. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 227 or Royal Oak Way shall exceed six feet in vertical height above or below the existing ground surface. For any visible cuts from key viewing areas previously

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identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.

l. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 227 and Royal Oak Way. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

m. **At the time of application for construction permits for each parcel**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Highway 227 and Royal Oak Way.

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   a. Reduce the amount of disturbed area where possible,
   b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
   c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

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d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.

f. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.All dirt stock-pile areas should be sprayed daily as needed.

p. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Biological Resources

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protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

t. **Prior to final inspection of grading and/or construction permits,** to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the three year monitoring period shall be the responsibility of the applicant.

u. **At the time of application for grading permits and/or construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

v. **Prior to final inspection of grading and/or construction permits**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.

w. Trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are

2-26

much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

x. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

y. To minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/ tract improvements and for the life of the project:

1) All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
2) Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan as required by #36(m) above.

z. **Upon submittal of future individual lot construction permits for Lots 1 and 7**, applicable plans shall show those sensitive plants as identified in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). A county-qualified botanist shall identify the impacts to those plants, as well as identify how these impacts will be mitigated to result in no net loss of the species. Protection measures shall be installed prior to any ground disturbance. Replacement measures shall be completed prior to final inspection or occupancy, whichever comes first.

Geology

aa. **Prior to issuance of construction permits on all parcels**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

bb. **Prior to issuance of construction permits on all parcels**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to

2-27

minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.

b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.

c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.

e. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

cc. All disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

"CHAPARRAL" SEED MIX(1)

Species	lbs/ac
Adenostoma fasciculatum (chamise)	*0.50*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Dendromecon rigida (bush poppy)	*0.25*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

"COAST LIVE OAK" SEED MIX(1)

Species	lbs/ac
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.50*
Lotus scoparius (deerweed)	*0.50*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rosa californica (California rose)	*0.20*

2-28

Rubus ursinus (California blackberry)	*0.20*
Salvia spathacea (pitcher sage)	*1.00*

"COASTAL DUNE SCRUB" SEED MIX(1)

Species	lbs/acre
Abronia umbellata (pink sand verbena)	*0.25*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Corethrogyne filaginifolia (California aster)	*0.25*
Croton californicus	*0.20*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Horkelia cuneata	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rhamnus californica (coffeeberry)	*0.20*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

Noise

ff. **Upon submittal of construction permits for Lots 2, 3, and 4**, plans showing project design and location within the proposed building envelopes shall clearly show that all outdoor activity areas will be no closer than 129 feet from the centerline of Highway 227.

Wastewater

gg. **Prior to issuance of construction permits for all parcels**, the applicant shall submit soil boring information at the proposed leach line location showing that adequate distance to bedrock exists or shall submit plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Water

hh. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:

a. To maximize drought tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;

b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;

c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

d. Slopes for turf areas shall be no more than 4%.

ii. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 500 square feet with remaining landscaping being drought tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use

2-29

no turf or other water intensive groundcover and will use ornamental native plants where feasible.

jj. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

kk. **Prior to final inspection of construction permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

ll. The terms of the open space easement will allow only activities that help the long term protection of native plant species. No off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities is allowed in the open space easement area with the exception of leach lines for proposed parcels 2 and 3 which may be located within the easement area outside of the driplines of existing coast live oak trees.

Miscellaneous

37. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

38. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

39. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

2-30

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.

2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:

   A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.

   B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.

   C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.

3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.

4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.

5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit.

2-31

Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.

8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.

9. Any existing reservoir or drainage swale on the property shall be delineated on the map.

10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

11. Required public utility easements shall be shown on the map.

12. Approved street names shall be shown on the map.

13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.

14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.

15. Any private easements on the property shall be shown on the map with recording data.

16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.

17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.

18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.

19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

2-32 MB

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

SP

JUL - 1 2004

COUNTY OF SAN LUIS OBISPO

RE

THIS IS A ~~NEW PROJECT~~ REFERRAL

DATE: 6/30/04

FROM PUBLIC WORKS

FROM: Stephanie Fuhs
(Please direct response to the above)

TR.2542 / SO20346.
Project Name and Number

Development Review Section (Phone: 781-~~788-2009~~ 781-5721.) (_____)

PROJECT DESCRIPTION: 9-LOT TRACT - PREVIOUSLY 10 LOTS, REVISED DUE TO SEVERAL ENVIRONMENTAL CONCERNS PLEASE REVIEW & COMMENT.
-PREVIOUS RESPONSE ATTACHED. BIG ISSUE - SIGHT DISTANCE ADEQUATE?

Return this letter with your comments attached no later than: 7/30/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
_____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

THANK YOU FOR THE REVISED MAP. SIGHT DIST. APPEARS TO BE ADEQUATE FROM THE INFO PROVIDED BUT SINCE THIS IS A STATE HWY, YOU REALLY SHOULD ASK CALTRANS. NO RETAINING WALLS IN PUBLIC ROAD R/W. 18% GRADES ARE TOO STEEP - THEY SHOULD AIM FOR 9% AND MAYBE GO TO 12% FOR A 100 ft OR SO. STORM DRAIN INLET IN INTERSECTION IS NOT GOOD PRACTICE, IN CURB LINE WOULD BE OK. WHY ALL THE OPEN SPACE — THIS DOES NOT APPEAR TO BE A CLUSTER PROJECT?

Date 13 AUG 2004 Name GOODWIN Phone 5252

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

2-33

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 5/9/03

~~FROM~~ Public Works

~~FROM:~~ South County Team
(Please direct response to the above)

AG Edwards Trust / S020346T TR 2542
Project Name and Number

Development Review Section (Phone: 781- 5183) ( )

PROJECT DESCRIPTION: Tract Map

Return this letter with your comments attached no later than: 5/23/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

WHO IS AG Edwards (NAME ABOVE), APPLICATION'S SEZ CARMEN GREEN AND TITLE REPORT STATES NEIL C. WILLHOIT ? Referral to SoL Team ? Page 8 of Appl. form ?

RECOMMEND Approval - Stocks ATTACHED.

02 JUNE 2003 — Date
GOODWIN — Name
5252 — Phone

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RE- 2-34

THIS IS A ~~NEW PROJECT~~ REFERRAL

RECEIVED

JUL 06 2004

CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPT.

DATE: 6/30/04

TO: CITY OF A.G.

FROM: Stephanie Fuhs
(Please direct response to the above)

TR.2542 / SO20346.
Project Name and Number

Development Review Section (Phone: 781- ~~788-2009~~ 781-5721.) (_____)

PROJECT DESCRIPTION: 9-LOT TRACT - PREVIOUSLY 10 LOTS, REVISED DUE TO SEVERAL ENVIRONMENTAL CONCERNS PLEASE REVIEW & COMMENT.

Return this letter with your comments attached no later than: 7/30/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Nine lots appear to comply with Residential Suburban (RS) standards and Arroyo Grande Fringe LUE criteria. City requests that fire and traffic impact fees of City be paid to offset the impacts of cummulative development.

July 6, 2004
Date

Rob Strong, Comm. Dvlp. Director
Name City of Arroyo Grande

473-5420
Phone

Fax to

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

Coun of San Luis Obispo • P lic Health Department

Environmental Health Services
2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211
Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director
Curtis A. Batson, R.E.H.S.
Director

2-35

September 25, 2003

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, CA 93401

ATTN: DAVE MENA
RE: TENTATIVE TRACT MAP 2542 (GREEN)

Water Supply

This office is in receipt of onsite water information for the above noted project. Said information is considered satisfactory **preliminary** evidence of water. Prior to filing of a final map, evidence of adequate potable water for each parcel shall be submitted to the Health Agency. This will require a complete chemical analysis, a pump test and a well drillers report.

Wastewater Disposal

Individual wastewater disposal systems, designed and installed to meet local and state requirements, should adequately serve the parcels. A deep soil boring and three percolation tests will be required on each vacant lot prior to map recordation.

TRACT 2542 is approved for map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

C: Kami Griffin, County Planning
Carmen Green, Owner

2-36

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

ARROYO GRANDE: 715

THIS IS A NEW PROJECT REFERRAL

DATE: ~~5/9/03~~ 5/19/03

FROM:
TO: Gen Svcs - Parks Div.

TO:
FROM: South County Team
(Please direct response to the ~~above~~)

AG Edwards Trust 7.50 0346 T
Project Name and Number
PR 2542

Development Review Section (Phone: 781- 5183) ( )

PROJECT DESCRIPTION: Tract Map

Return this letter with your comments attached no later than: 5/23/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Applicant to pay Quimby and applicable Building Division fees.

5/19/03 Date | Alex McDonald Name | -4388 Phone

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

2-37

DATE: May 16, 2003

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise MAG
San Luis Obispo County Air Pollution Control District

SUBJECT: AG Edwards Trust (S020346T/TR 2542)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 757 Carpenter Canyon Road in Arroyo Grande. The applicant proposes to subdivide a 27.4-acre parcel into 10 parcels ranging in size from 2.3 acres to 3.2 acres each. The property is zoned Residential Suburban and is located outside the Urban Reserve Line. We have the following comments on the proposal.

This project, like many others, falls below our emissions significance thresholds and is therefore unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Suburban category can be subdivided to a minimum lot size of one acre. We also recognize that there are significant human interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

If you have any questions or comments, feel free to contact me at 781-5912.

MAG/sll

H:\ois\plan\response\2703.doc

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
info@slocleanair.org ❖ www.slocleanair.org

2-38

CDF/San Luis Obispo County Fire Department

SF

635 N. Santa Rosa • San Luis Obispo • California 93405

7/16/2004

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Green/S020346

Dear Stephanie Fuhs,

I have reviewed the referral for the parcel map plans for the proposed nine parcel subdivision project located at 757 Carpenter Canyon Rd., Arroyo Grande. This project is located approximately 12-15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fire
It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Fire Extinguishing System

- The proposed project is required to install a residential fire/life safetysprinkler system in all residences.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.
- Our Department can provide additional information if requested.

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

- Parcels less than 1 acres 800 feet
- Parcels 1 acre to 4.99 acres 1320 feet
- Parcels 5 acres to 19.99 acres 2640 feet
- Parcels 20 acres or larger 5280 feet

2-39

- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

cc: Ms. Carmen Green

2-40

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
TELEPHONE (805) 549-3111
TDD (805) 549-3259
http://www.dot.ca.gov/dist05

2-41

Flex your power!
Be energy efficient!

August 5, 2004

SLO-227 PM 1.84
Green Tract Map

New Project Re- Referral

Ms. Stephanie Fuhs
San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA. 93408

Dear Ms. Fuhs;

Thank you for sending the Green Tract Map, New Project Re-Referral to the California Department of Transportation (Department), for our review. District 5, Development Review offers the following comments regarding the project scope.

It appears that after reviewing this project's physical orientation to State Route 227, there is a potential issue with sight distance associated with traffic turning in and out of the project's access to Route 227. The Department requires of the applicant that they utilize a licensed Traffic Engineer to perform a corner/sight distance analysis in order to substantiate if this project enjoys a requisite traffic sight distance at Route 227 and the project driveway.

As this project is currently scoped, the applicant will need to file for an Encroachment Permit from District 5, to legally construct the project's ingress/egress onto Route 227. Please contact Mr. Steve Senet, Senior Encroachment Permit Engineer (549-3206) for more information regarding the permit process. Please also be advised that all work done in the State's Right of Way will be done to the Department's engineering and environmental standards, at no cost to the State.

If this project does not address the potential sight distance issue at this time (pre-approval phase), they will need to do so during the encroachment permit phase. Given the costs associated with constructing the internal system of roads for a subdivision, it is advisable to discover early on if this projects internal circulation may in fact be able to connect to Route 227 where the Green Tract Map depicts.

2-42

Also, please set as a condition of occupancy the requirement that the project applicant substantiate that the above mentioned improvements (connection to Route 227) were completed to Department standards (through a letter of acknowledgement from the Department Permits Office). The wording of this condition should further stipulate that the Department's verification letter will be submitted to the Lead Agency prior to and a precondition of, the issuance of the Certificate of Occupancy.

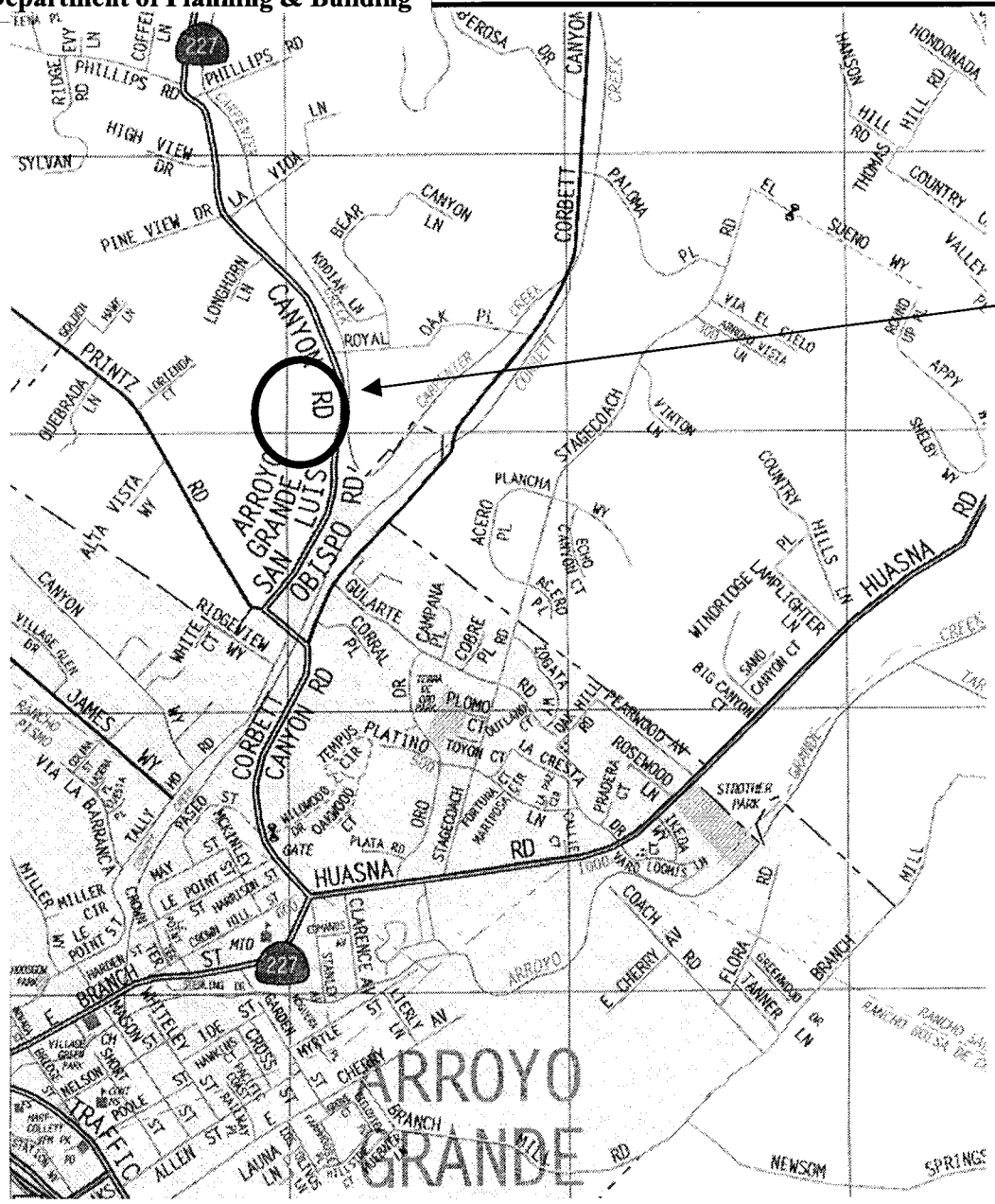
Again, thank you for the opportunity for the Department to comment on the Green Tract Map, New Project Re-referral. If you have any questions please call me at 549-3683.

Sincerely,

James Kilmer
District 5
Development Review

cc: File, D. Murray, R. Barnes, S. Senet

San Luis Obispo Department of Planning & Building



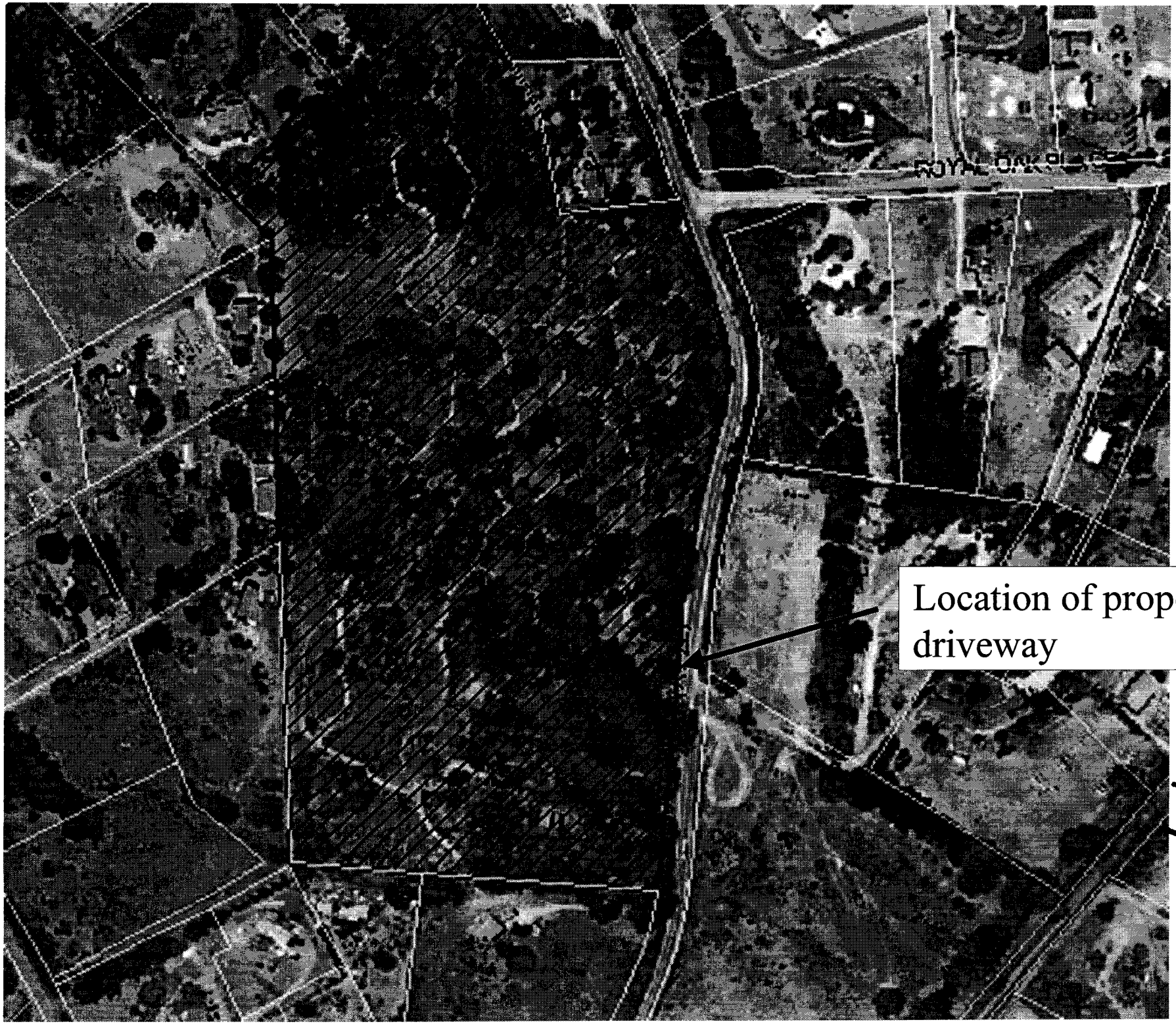
2-43

Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

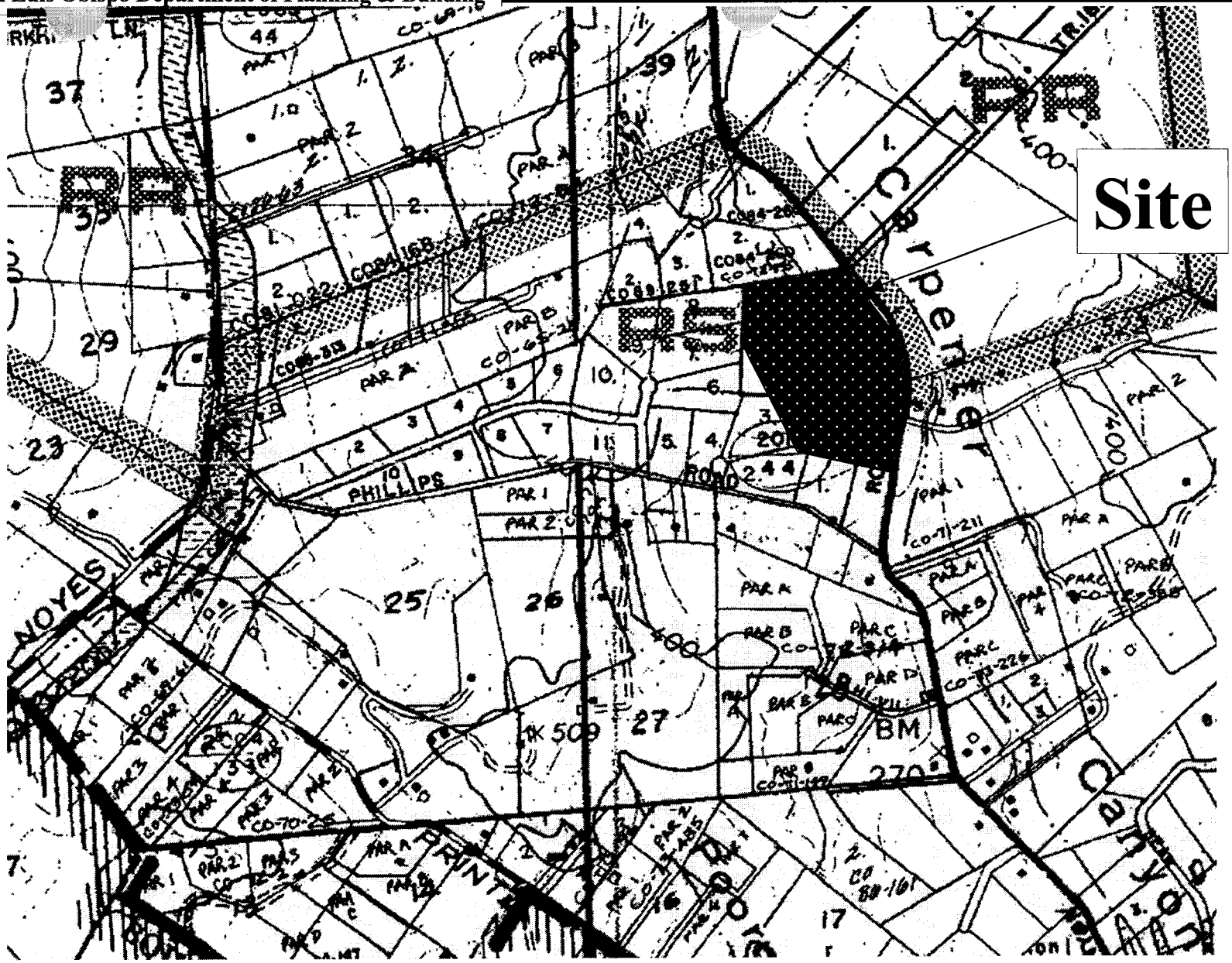
Exhibit

VICINITY MAP



4-2

San Luis Obispo Department of Planning & Building



Sh-2

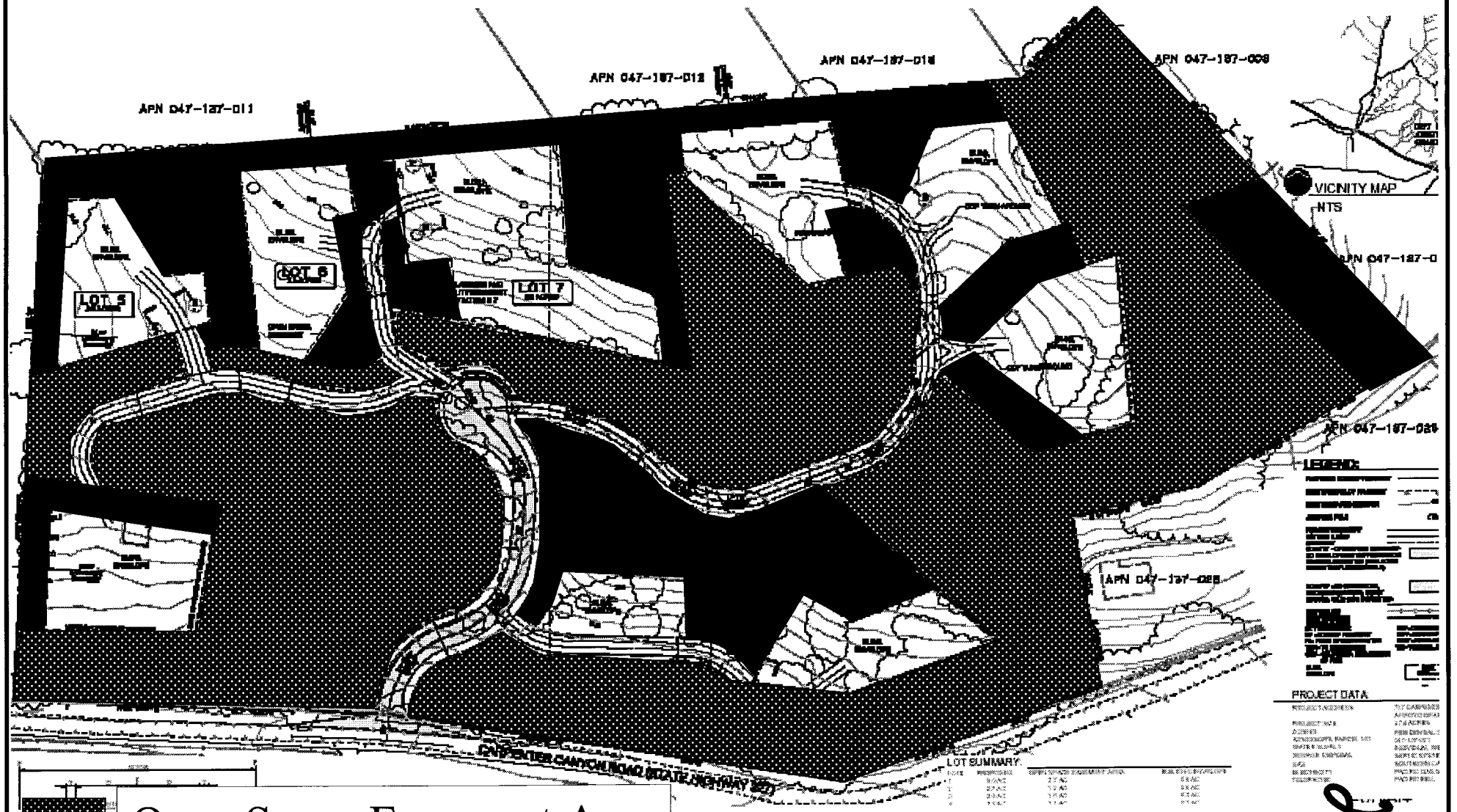
Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Land Use Category Map

San Luis Obispo Department of Planning & Building



Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Proposed Tentative Tract Map with Open Space Area and Building Envelopes

2-47

Correspondence based on the Current Project (Redesign)

2-48

Michael T. Clark
456 Carpenter Canyon Rd.
Arroyo Grande, CA 93420

February 16, 2005
Ms. Stephanie Fuhs
County Government Center
Department of Planning and Building
San Luis Obispo, CA 93408

Dear Ms. Fuhs

One of the concerns the neighbors raised with the Carpenter Canyon project is the impervious nature of the proposed hillside development with respect to septic systems. Although the top layer of soil is a sandy loam, much of the property has solid bedrock just a few feet below the surface.

This is our third winter at 456 Carpenter Cyn. For the last two years rainfall was at or below normal. This year we are above normal. During the last two winters our riding arena area (the lower 3 acres of our property, directly across the street from the Carpenter Canyon Project) remained dry. You could ride a horse immediately following a two inch rainstorm because of the drainage our sandy alluvial soil offers. I'm sure this sandy alluvium has built up over the centuries as the hillsides of Carpenter Canyon have eroded. The bedrock here is probably pretty deep. You do not hit bedrock when you dig postholes on our lower 3 acres but you sure hit the rock on our hillside.

This winter we are seeing a tremendous amount of water coming out of the ground on that part our property adjacent to Carpenter Cyn. Road and directly across from proposed lots 2 and 3. This, we believe, is clear evidence of the lack of percolation on the proposed development site. I have enclosed photos taken February 13 showing the situation. This is not standing water from rain or runoff. This water did not appear in December or mid January with the heavy rains. After about two weeks of dry weather, we began to notice the seepage. This is the amount of time it took for the December through mid January rain to soak through the top layer of sandy loam on the development site, hit the impervious bedrock and make its way under Highway 227 to ooze out on our property. We have also enclosed photos of the Carpenter Canyon Estates hillside showing no standing water on that property. We have no problem with this natural phenomenon. We do have a problem with leach fields directly across the street from our property (especially lots 2 & 3) if that ground can't absorb the moisture. It is our understanding that a waiver to allow leach lines in some of the open space easement has been suggested. This would bring the leach fields even closer to our property. Another concern should be the protection of the oak trees. If leach fields are placed uphill from protected oaks you may be introducing year- round moisture to the part of the root system that would normally experience 6 months of drought, a situation that can cause disease. Besides the leach fields, I wonder where the water used to support building envelope landscape will go. You can educate people about drought tolerant plants, but if they have a tremendous water supply (as the test well would indicate) what's to stop half acre lawns. Will the irrigation water seep down to the bedrock, run downhill and end up seeping out

2-49

of the ground on our property?

To our knowledge, there has been no thorough geological study done on the development site. Percolation tests will merely measure the amount of time it takes for water to disappear in a series of holes dug in various locations. If the underlying geology is what we suspect, the percolation test water may quickly filter through the shallow top layer of porous soil, hit the bedrock, and run down hill (underground) rather quickly due to the slope of the property. Although the percolation test might pass by time standards the water is not being absorbed. It's merely moving to another location.

How much excess water due to development (septic and irrigation) can this property absorb before it oozes out on our property? We do not want to see our lower 3 acres become an unusable swamp due to septic systems and landscaping in the development. We don't want to see diseased oak trees either. We hope all parties (County and development team) have done their due diligence on the geology of this proposed development.

Sincerely,

Michael T. Clark

Connie M Clark

Connie M. Clark

cc: Eric Schaefer, Stephanie Gleim, Neighbors

Carpenter
Canyon

2.50

Carpenter
Canyon
standing
water

Carpenter
Dry

EPI-Center, 1013 Monterey Street, Suite 207 San Luis Obispo, CA 93401
Phone: 805-781-9932 • Fax: 805-781-9384

2-51

August 4, 2004

Stephanie Fuhs
County of San Luis Obispo
Department of Planning
County Government Center
San Luis Obispo, CA 93408

Subject: **Notice Request / Tract 2542**

Ms Fuhs,

I am writing to request that you add Environment in the Public Interest to your list of interested parties receiving notice of County action, hearings, or request for public comment related to proposals, applications, and/or permits for the proposed Carpenter Canyon Project (Tract 2542).

Environment in the Public Interest (EPI) is a 501(c)(3), non-profit corporation organized for the purpose of ensuring that the public has a voice with officials charged with responsibilities for land use planning and environmental protection. The primary mission of EPI is to advocate the public's interest in protecting and conserving habitat and biodiversity in California. EPI and its supporters are interested in improving quality of life through improved watershed planning and environmental awareness in San Luis Obispo County. As such, EPI wishes to remain informed of potential development permits and conditions throughout the County.

Thank you for your assistance.

Gordon R. Hensley
Executive Director/SLO Coastkeeper

Michael T. Clark
456 Carpenter Canyon
Arroyo Grande, CA 93420

2-52

July 27, 2004

Ms. Stephanie Fuhs
County of San Luis Obispo
County Gov't center
Dept. Of Planning & Building
San Luis Obispo, CA 93408

RE: Tract 2542

Dear Stephanie:

We had a meeting with some of the neighbors on Saturday regarding the new development plan for the proposed Carpenter Canyon project. Although we agree that this plan is better than the first proposal, we still have major concerns.

Six or seven lots instead of nine would go a long way towards making the project something we can live with. The open space easements are a welcome addition if they are placed in the deeds with restrictions banning use that would be a detriment to the environment (such as ORV s on the private trail throughout the easements). We would like to see some sort of open space corridor between the proposed building envelopes (lots 5,6,7,8 & 9) and the property line as opposed to the minimum set back. Many animals travel the ridge line and this would allow more space between the existing structures and the new homes. This would also put the new homes at a slightly lower elevation which would preserve the scenic quality of the ridge line as viewed from public roadways in the area. If the developer is talking about perpituity, there should be deed restrictions on future lot splits. We would like to see deed restrictions (not CC&Rs) regarding height, color and square footage. Bear Canyon is a classic example of unrestricted land use. The square footage restrictions would apply to home and granny flat. If you allow granny flat rentals you will double the population density. We would like to see deed restrictions on this type of activity.

Fewer lots mean a reduction in the overall building envelope coverage and less road surface within the project boundaries.. This will alleviate some of the runoff and erosion problems. Fewer home sites will mean less disruption to the natural habitat and less mitigation for the developer.

Removing all the eucalyptus in the mitigation/restoration area will take away raptor habitat. Those of us who look at the development will have no visual screen. On a personal note, the proposed development site is the view from my house. An unscreened view of 3500 sq ft plus two stories

will certainly have a effect on my property value. Perhaps a compromise could be reached by leaving a row or two of eucalyptus or planting some type of fast growing pine for habitat and screening. This would give a filtered view to both the lot owner and those of us who look at the lot. Are the 1 gallon oaks used in the mitigation and restoration areas the cheapest way to go or is there evidence to prove they have the greatest survival rate? You can't put the homeowners association in charge of maintenance of mitigation areas because the HOA will lack the expertise. That is why I suggested a trust fund set up by the developer (the profiteer in this venture) to fund maintenance and monitoring by a third for five years. The third party should be a qualified arborist/botanist approved by the County. There should be provisions that provide for replanting trees that die during the five year period and a maintenance/monitoring plan for the replacements. The goal should be close to 100% survival.

We all have water issues. As I mentioned in my last correspondence, I know of no test drilling. The only proof of adequate water I can find is a statement from Central Coast Drilling that says this is a good water area.

Noise is a big problem in Carpenter and Corbett Canyons. If someone pounds a nail in Corbett Canyon you can hear the hammering in Carpenter Canyon. It's almost like an amphitheater. You should have heard the noise level from a party at one the Bear Canyon homes last Saturday night. Fewer lots will mean less noise overall

No one has mentioned the light and glare associated with a residential development. Spillover lighting will have an effect on the animals that inhabit the open space easement areas. The night lighting will alter the nighttime sky and affect residences adjacent to the Site..

You are aware of my concern with the location of the project entrance and with the proposed edge of pavement change. Has the developer tried to negotiate any kind of shared entrance with the neighbor to the south? Has anyone looked at what pushing the edge of pavement 5 to 10 feet towards "my side" of the highway will do to the narrow shoulder that exists? The edge of the pavement will be at the edge of the embankment. Forget about the walking path currently used by the public. We don't feel that the impact on highway safety due to increased traffic and the ingress and egress at the project entrance has been fully addressed. Ironically, several months ago a friend of the developer's son was involved in a traffic accident while making a U turn in front of my property.

Quite frankly, with the size of this project and the sensitive natural habitat we can't understand why an EIR has not been required. We believe it is likely that substantial, undisclosed impact will occur in regard to ground water resources, runoff, wastewater disposal, traffic on Carpenter Canyon Road, Corbett Canyon Road, as well as the Highway 227 corridor. We further believe the current proposal fails to ensure that the County will be able to enforce the promised open space easements in perpetuity. In addition we are concerned that reliance on the proposed Negative Declaration is likely to reduce or degrade sensitive resources in the Carpenter Canyon area, especially raptor nesting and roosting habitat, without full involvement of the public. Finally we are concerned that inclusion of "Provisions for a future private trail and water storage uses within the open space easement..."(Supplemental Development Statement pg 4 of 5) indicates the

developers intent to improperly segment the reporting of environmental impacts of the envisioned project. It seems there is substantial liability to the County and the developer for any future environmental or highway safety lawsuits that might arise from the approval of this development without an EIR.

Sincerely,

Michael T. Clark

2-55

Michael T. Clark
456 Carpenter Canyon
Arroyo Grande, CA 93420

July 21, 2004

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Preliminary Lot Grading Tract 2542

Dear Stephanie,

We haven't had time to carefully study all aspects of the development plan. We are meeting with the neighbors this weekend. There are several items that come to our immediate attention.

The two acre mitigation restoration area appears to be a "smoke screen". Is it designed to restore the environment to a pre eucalyptus state or is the real intention to enhance the view and hence marketability of the lots? The clear cutting will take away the natural screen the eucalyptus trees provide. This grove is not home to just one horned owl. There are many red tailed hawks and owls that roost in the trees. The red tails use the trees as nesting sites every year. I have also seen a rare kite in the area. We will all be six feet under before 1 gallon size oaks ever replace the habitat and natural screening provided by 50 to 100 foot eucalyptus trees. Restoration by eliminating non native vegetation is kind of the "latest thing" and the developers are using this as the rational for the proposed "slash and burn" clearing. If they offered to bring in oaks with 10 feet of growth we might have something, but 1 gallon size cans are a joke. Putting the HOA in charge of maintaining the restoration is ridiculous. Since the developer tore up the land and made the profit they should be required to pay someone to take care of things in addition to paying for a monitor.

Another item is water. To my knowledge no one has poked a hole in the ground. The county merely has a letter from a well digger who was too busy at the time of inquiry to drill any kind of test well that this should be a good water area. Many of us close to the property have marginal wells. Will we all be compensated for problems we have because of the water the development pulls out of the ground?

The third issue is the proposed entrance. We have enclosed a portion of the grading map. If we are reading the legend correctly, it looks like the developers are planning to widen 227 in the area of the proposed entrance at our expense. "Existing pavement edge" is highlighted in red; the "proposed edge of pavement" in blue. Their proposed entrance encroaches on our side of the

2-56

highway by 5 to 10 feet and takes out a portion of our driveway. To the south of the entrance the existing edge and proposed edge are basically one in the same on their side of 227 but the proposed edge encroaches 5 to 10 feet on our side. To the north they actually gain real estate by pushing 227 over to our side. There is very little shoulder to Hwy 227 in this area. The shoulder that is there on our side is used as a pathway by joggers and walkers every morning. A 5 foot relocation in the pavement edge will eliminate this walkway. Shouldn't the "new kid on the block" be the one giving something up? How can they legally move the road on our side only? What is our recourse? The real issue is the location of the entrance. Has the developer actually approached their neighbors to the south to perhaps purchase the use of the existing road? Mr. Wilhoit had owned both the 27 acres and the 5 acres to the south. The existing entrance had been used for both properties. Another note on the map is the "project boundary" (yellow) extends beyond our property line. How can they do this?

Sincerely,

MR

Michael T. Clark

Connie M. Clark

Connie M. Clark

cc: John Nall

THOMAS J. YOUNG
934 Longhorn Lane
Arroyo Grande, CA 93420

August 27, 2004

2-57

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Tentative Map for Tract 2542

Dear Ms. Fuhs,

I realize that yours is an often thankless job, but I do appreciate the work you do and am glad to have you there as a "watchdog" for all of us. But, I have examined the latest maps regarding the development of the above referenced property being requested by Carmen Green (now BFD Properties?). Frankly, in light of how many letters I, Mike Clark and the rest of the "Friends of Carpenter Canyon" have written I am surprised to see so little of or concerns have been addressed.

Has Ms. Green been getting copies of our letters?

The concerns still stand from my last letter. Density, Noise, Traffic, Water Availability, Watershed, Trees, Wildlife Corridor and Esthetics.

I think it is time to push for an EIR as recommended by the California Environmental Quality Act. I believe that if you let the project continue with just a Negative Declaration and not an EIR that the County of SLO will be leaving themselves open to the risk of litigation. Be mindful of the legal and political risks inherent in taking shortcuts.

Of course we all would be less likely to push for an EIR if Ms. Green would just voluntarily employ our suggestions, which make this a project that all the neighbors can live with.

These being:

Bring the project down to six lots.

Employ a wildlife corridor on the ridgeline.

Add more open space, hiking trails, esthetically pleasing fencing, etc. such as has been done in the Rancho Grande development.

Perform an in-depth water availability study.

Develop Deed Restrictions in regards to height, color and square footage.

Develop Deed Restrictions in regards to granny flats, rental units and the building envelopes.

Please do not get us wrong. A person should be able to develop their property within the law. But our laws need to be responsible and they need to be right for the environment. And they need to be based on a number of factors. We are trying to make sure those other factors are taken into consideration.

Laws are made by the people and for the people. They are also changed by people when they aren't right. And 15 families that adjoin the old Willhoit property feel the laws are not right in this situation.

This development is not just a case of a landowner developing their property; it is purely a case of greed. Greed a sin. I personally believe it is the case of a greedy real estate agent that talked an old man out of his land for a fraction of its value and wants to turn it around within 1 year for a $4 million dollar profit.

We are your neighbors too. And your neighbors are concerned about what is happening in this and most other areas of the country that others don't seem to care much about. We are trying to protect something of value that, if we don't, it will be lost permanently. We have the power to protect what we moved to this county for, so it doesn't become like Santa Barbara, Pismo Beach and even as close as what the City of Arroyo Grande did on all along James Way.

Even SLO county administrators themselves say they are concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development. In their own words they believe that subdivision and future development on these rural parcels throughout the county allows a pattern of development that is ultimately unsustainable.

The key phrase here is "cumulative effects". None of us can take the posture of "I can do whatever I want with my land". Your land is connected to everybody else's land and can be seen by all. What we do with our land affects an entire society. It tells a story of what our society is about. County administrators can only act in accordance with the county resident's wishes and that is why we need to make our wishes clear.

God gave us this land. Lets be good stewards of what God has given us.

Sincerely,

Thomas J. Young

Thomas J. Young

2-59

Cc: Joanne Dompke
Dave DeBorde
Tony Heacock
Kim Kubasek
Wally Hosn
Fred Ripley
Mike Clark

2-60

Correspondence based on the Original Project Proposal

2-61

February 09, 2004

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Tract Map 2542 (Carpenter Canyon Estates)

Dear Ms Fuhs:

We have formed a committee of neighbors who share the same concerns regarding the development referenced above. We are not opposed to the development of this parcel. We are opposed to the development as currently proposed. During our initial meeting we came up with a list of major concerns as follows: Aesthetics, biological/environmental, noise, public safety, water (supply, percolation, runoff) and density.

We would like to make sure that aesthetics are taken into consideration in this development plan. The location of the building envelopes is very important. Neighbors backing up to proposed lots do not want a home or a granny flat in their back yard. This development will be the view for other neighbors. What kind of assurance is there that the building envelopes on the final map cannot be changed? Could a lot buyer move the building site after they own the lot? We would also like to see restrictions on color, square footage and height of the home and granny flat along with provisions that limit the removal of natural vegetation and trees during development of the lots and future dwellings. Protecting the ridge line is also important.

There are numerous biological and environmental concerns. There is a vast diversity of both plant and animal life. We have noticed discrepancies in the 2003 Botanical Report. A 2002 letter written by the same firm that did the 2003 Botanical stated there is Sand Mesa Manzanita and there is no species of Clarkia on this parcel. In the Botanical they say there is no Sand Mesa Manzanita and there are several species of Clarkia. We wonder about the accuracy of plant identification which could affect environmental mitigation. Tree removal is a big issue. Some of the tall Eucalyptus trees are raptor nesting sites. Will there be provisions to save these trees? Is there an oak tree ordinance? We feel there should be an animal survey that includes birds, insects, mammals and reptiles. Just because this parcel is not considered the habitat of any rare or endangered animal species, how do you know? This development may impact animals that migrate on and off the property. We would like to see a wildlife corridor or green belt easement

around the perimeter of the property or perhaps several lots designated as green belt easements.

Sound travels extremely well in this canyon. Neighbors living on or near Carpenter Canyon can hear conversation on the back decks of the Corbett Canyon hillside homes. A party in Bear Canyon Estates is like being at a rock concert. Wait until the bulldozers start rolling and chainsaws start cutting. What will be done to control noise during development? What impact will the noise levels have on the surrounding area during and after development?

Public safety has not been addressed to the extent we would like to see. Carpenter Canyon has a dangerous speeding problem. Both motorcycles and cars ignore the posted speed limit. We do not see a speed survey in the file. The proposed entrance to the development sits between two blind curves. This has not been addressed. The amount of ingress and egress created by ten homes and potentially ten granny flats will certainly create a public safety problem. What about moving the entrance to a shared easement at the southern end of the property? This is where ingress and egress has always been. Besides being a safer location with more visibility up and down Hwy 227, you would remove fewer trees. The proposed entrance passing through lots 4 and 5 will remove many trees. The Tree Removal Survey shows 33 oaks and 86 eucalyptus removed or impacted. A good number of these are due to the location of the proposed entrance and road..

We do not feel enough research has been done on water issues. This includes water supply, percolation for septic systems and runoff. With a development that has as much potential demand on the water table, an opinion issued by the company contracted by the developer to dig the wells does not seem adequate proof of water supply. Percolation or lack of percolation will have a big impact on leach systems. Runoff is also affected by the ability of the soil to absorb rain water. The grading, paving and future home owner landscape will take away the natural vegetation that currently does a wonderful job of stopping erosion and controlling runoff. Most of the sandy loam soil is on the surface with solid bedrock not far below. Many of us have had trouble with leach line location due to this factor. According to Laurie Salo, R.E.H.S., (a letter to EDA Design Professionals 9/25/03), chemical analysis and a pump test from wells are required prior to filing the final map. Deep soil boring and percolation tests are required prior to map recording. In a letter from Robert Williamson, R.E.H.S. (2/4/04 to Mike Clark) he states concerns about the water aquifer are addressed by the County Planning Department during the environmental review process. Wouldn't it be wise to require a report from a geology firm with no vested interest in the project regarding the feasibility of the water aquifer to support a project of this magnitude (potentially 2 dwellings per site) along with usage by existing residents? This report could also include an opinion on the percolation and the effects proposed grading will have on runoff.

Less density would go a long way to solving many of the problems we see. We don't fault the profit motive. At the proposed price per lot versus amount invested, a few lots could be donated to green belt easements. Larger lot size, especially the proposed lots with steep slopes would also help. These proposals could alleviate the need for costly mitigation, reports and time delays that eat into the profit of this project.

We understand the project is in redesign at this time. We hope our concerns will be addressed in the revised development plan. We would like to see Carpenter Canyon Estates become a model

2.63

for future development in rural areas of San Luis Obispo County; well planned growth that takes into consideration the preservation of the rural lifestyle and the natural environment. Please keep us informed on the status of this project as it proceeds through the County "channels". We would appreciate a response to questions raised in this letter. You can write to Michael Clark (456 Carpenter Canyon, AG, CA 93420) or Thomas Young (934 Longhorn Ln., AG, CA 93420). We will forward the information to all committee members.

Sincerely,

Michael T. Clark

Thomas J. Young

cc: Mr. Katcho Achadjian, Board of Supervisors
Mr. Eugene Mehlschan, Planning Commission
Ms. Carmen Green, Developer
FRIENDS OF CARPENTER CANYON COMMITTE MEMBERS

Fuhs

2-64

Michael T. Clark
456 Carpenter Canyon
Arroyo Grande, CA 93420

January 21, 2004

John Nall
County of San Luis Obispo
County Government Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Mr. Nall

In reading through the biological information on this proposed development, I came across the August 02, 2002 letter from Lynne Dee Althouse (Althouse & Meade Inc.) to Mike Butcher regarding a Pismo Clarkia survey on the 27 acre parcel. According to this letter, no Clarkia species were observed. They did however find Sand Mesa Manzanita, a Federal species of concern.

The Botanical Assessment that was done in April and May of 2003 by Lynne Dee Althouse clearly states on page 10, Item 3 and page 12 that no Sand Mesa Manzanita was found. Where did the Sand Mesa Manzanita go in 9 months? Was Sand Mesa Manzanita confused with Wells Manzanita in August 2002 or vice versa? Would the presence of Sand Mesa Manzanita be considered cause to require more costly mitigation than the Wells Manzanita? I also noticed in Section 3.2 of the Botanical Survey that Clarkia purpurea ssp. obispoensis was found. The 2002 Pismo Clarkia survey letter stated no Clarkia species was observed. Are these contradictions cause for concern? Is there a reason to require a "second opinion" by a firm from outside the area?

The file on this project contains no animal surveys. What kind of animal information is required for this kind of a development? I would like to mention that I have observed at least one pair of red tail hawks flying to the tall eucalyptus trees with nesting material. These are the same trees that supported red tail nests last year

Sincerely,

Michael T. Clark

cc: Ellen Carrol, Environmental Coordinator
Stephanie Fuhs, Development Review

2-65

Mary and Tony Heacock
530 Printz Rd.
Arroyo Grande, CA.
93420
(805) 481-7741

1-17-04

Stephanie Fuhs,
County of San Luis Obispo
Government Center Dept Planning & Building
San Luis Obispo, CA.
93408

RE: Green Tract Map 2542

As a neighbor to the aforementioned tract, we oppose the development as currently proposed. Having lived here for 19 years, we are aware of the abundance of wildlife living in this area. We have owls, fox, deer, falcons, hawks, and more, each of which we have seen ourselves. To develop this property as proposed, would eradicate the natural beauty and ecosystem as it currently is. I understand there are some rare plants on the property as well. Please keep us informed of meetings and resolutions as they occur.

Sincerely, Mr. and Mrs. Anthony F. Heacock

2.66

January 12, 2004

Warren Hoag
County of San Luis Obispo
County Government Center
Department of Planning and Building
San Luis Obispo, CA 93408

Re: Tentative Map for Tract 2542

Dear Mr. Hoag:

As our property borders on two sides of Tract 2542 we have the following concerns:

WATER SUPPLY vs. DENSITY– Will there be more run off and less ground absorption? Will granny houses be permitted? Will a guarantee be provided so our water supply is not affected? A slower growth mandate allowing only five or ten acre parcels for this tract would be much friendlier to the environment, the neighbors, and the traffic.

WILDLIFE: We have observed fox, coyotes, deer, raccoons, possum, rabbits, squirrels, hawks, owls, quail, and many other species of birds and animals that use this tract of land as a sanctuary. If this tract of land is to be developed, please provide a major undamaged portion as a continuous preserve for these indigenous species.

TRAFFIC SAFETY: Highway 227 is very dangerous due to the speeding motorcycles, cars, and trucks that are in a hurry or get their thrills taking the curves at high speeds and passing vehicles at unsafe places. We think an access road to this tract would be much safer if located closer to Printz Road. Approaching the stop sign at 227 and Prinz Road would hopefully reduce their speed.

Respectfully,

Fred & Eleanor Ripley

Fred and Eleanor Ripley
565 Carpenter Canyon Road
Arroyo Grande, CA 93420

267

December 15, 2003

Warren Hoag
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Mr. Hoag:

I use Carpenter Canyon as a back road scenic route between Arroyo Grande and SLO. I am opposed to the Tract 2542 development as proposed. Ten home sites on this 27 acre hillside parcel will dramatically alter the natural and scenic beauty of the landscape. The tree removal and grading will affect the wildlife in the area. I understand there are rare plants on the property as well.

The increased traffic turning onto Carpenter Canyon from the development poses a safety hazard. Carpenter Canyon can be a dangerous highway with many speeders. The proposed entrance to the development sits between two blind curves.

I am asking the County for controlled growth by requiring a plan from the developer that has fewer and larger lots along with an open space corridor. This is the only way to effectively mitigate the environmental damage, reduce the risk to public safety and to help keep Carpenter Canyon somewhat scenic.

Sincerely,

J.F. OR K.J. HERINGES
753 VIA VAQUERO
ARROYO GRANDE, CA 93420

2-68

December 15, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Ms. Fuhs:

As a neighbor to Tract 2542 I am opposed to the development as proposed. Ten home sites on this 27 acre hillside parcel will dramatically alter the natural and scenic beauty of the landscape. The tree removal and grading will affect the wildlife in the area. I understand there are rare plants on the property as well.

Adequate potable groundwater is another concern. This much density will surely put a strain on the water table. Septic leaching or lack there of due to the contour of the property and type of soil could have an effect on the quality of the groundwater and surface runoff creating health problems.

The increased traffic turning onto Carpenter Canyon from the development poses a safety hazard. This is a dangerous highway with many speeders. The proposed entrance to the development sits between two blind curves.

I am asking the County for controlled growth by requiring a plan from the developer that has fewer and larger lots along with an open space corridor. This is the only way to effectively mitigate the environmental damage, put less pressure on the resources we will be sharing with the development and reduce the risk to public safety.

Sincerely,

Walley Hoon
Patricia Hoon

931 Longhorn Lane
Arroyo Grande, CA 93420

2-69

December 15, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

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Sincerely,

(Mrs) Marian Adams

2-70

December 15, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

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Sincerely,

Marilyn Miller

2-71

December 15, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Ms. Fuhs:

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Sincerely,

Joanne Dompke
460 Printz Rd
Arroyo Grande
489-5812

2.72

Michael T. Clark
456 Carpenter Canyon
Arroyo Grande, CA 93420

December 05, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Ms. Fuhs:

My wife and I recently purchased the final Willhoit Trust parcel (15 acres) from AG Edwards Trust Company. We have a house (456 Carpenter Cyn.) on the adjacent 6 acres. A large portion of our 21 acres is directly across the street from Ms. Green's proposed development. Although 456 Carpenter Canyon is a legally split lot and we have one or two possible building sites on the 15 acres, we plan on preserving the open space.

I have just completed a letter to Carmen Green discussing my concerns regarding the Carpenter Canyon project. In this letter I go into great detail on the method of compensation in my financial planning business and ethical decisions I have made regarding the client's best interest versus my monetary gain. I did this because I know as a real estate broker Ms. Green understands the conflicts inherent in a commission based business and how it should come down to ethics. Ms. Green stands to make a substantial profit on this development. I have asked her to make an ethical decision that hinges on the balance of her financial interests and concern for the preservation of rural Arroyo Grande environment.

I think Melissa Guise (SLO APCD) sums up the basis for my request in her 5/16/03 letter to SLO County Department of Planning and Development regarding Ms. Green's Carpenter Canyon project. In her letter Ms Guise says, "We are concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development.", "The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture, and very low density residential development.", and finally "We believe it is important to emphasize to decision makers that subdivision and future development on these and similar rural parcels throughout the County allows a pattern of development to continue that is ultimately unsustainable in the long run.". I am asking County decision makers to heed the advice in the third

2-73

quote. I would like to see fewer lots and an open space wildlife corridor.

This beautiful piece of property is home to a vast array of flora and fauna. Redtail hawks and owls roost and nest in the tops of the large Eucalyptus trees. In the springtime you can hear the baby hawks screeching from the nests. We recently noticed red tail hawks flying to the trees with sticks possibly starting on their nests. A large buck and his doe call Ms Green's property and mine home migrating between the riparian zone on my property and the oak canopy on hers. Coveys of quail follow the same path. According to the Botanical Assessment and the August 02, 2002 letter from Lynne Dee Alehouse to Mike Butcher (CPA for Wellhead Trust), there are rare or threatened plant species on the property including Wells Manzanita, Sand Mesa Manzanita (mentioned in the 8/02/02 letter but curiously missing from the 6/2003 Botanical Assessment), Obispo Paint Brush and Straight-Awned Spine Flower. I have reviewed your 10/28/03 letter to David Men regarding redesign. I applaud you for this decision. I suggest fewer and larger lots with a wildlife corridor as a permanent, verifiable form of mitigation for the environmental damage this project will do. In my letter to Ms. Green I mention that 1/3 of Mr. Wellhead's estate was meant to benefit children's athletics. I have asked Ms. Green to leave a legacy by including an open space wildlife corridor in the development; a very ethical thing to do.

I have also asked Ms. Green to decrease the density. This property is almost all slope. Ten home sites, a road and other improvements will require a tremendous amount of tree removal, grading and trenching. I am extremely concerned about the runoff that will be caused during construction and after the development is complete. All water draining from Ms. Green's property either flows into Carpenter Canyon Creek which bisects my 6 acre parcel or flows directly onto my 15 acre parcel. My low land soil is sandy and soft. It erodes easily. The bridge on my property that crosses Carpenter Canyon Creek washed out prior to our ownership; isolating the previous owners from the house on the hill top. Larger lots and fewer home sites will mean less runoff.

Another concern is aesthetics. In the past, development that does not blend in with the environment has been allowed. I certainly hope there will be CC&RS restricting size, color, landscape, etc. I hope the ridge line will be respected. Ms. Green's development will be my living room and dining room view. I would like to see the entrance to the development relocated to the southern boundary of the property where ingress and egress has always been. The March 2003 Tentative Map places her entrance directly across the street from mine. The Sept 2003 Map shows the entrance slightly south. Besides affecting my view, there are safety issues. The added turning radius of Ms. Greens entrance so close to mine will further encourage U turns on Hwy 227 between two blind curves. Believe me, I have a problem with this. Many people with trailers who think they have lost their way to the landfill execute or try to execute U turns in my entrance. There really is no good place between the two blind curves I speak of to allow the ingress and egress this development will create. Carpenter Canyon/Hwy 227 has a speeding problem. A speed survey would show the average speed is above the posted 40 mph. Currently, I am the only resident making turns on and off Hwy 227 between the two curves. A calculation of braking distance from a blind curve to the proposed entrance would probably deem the location unsafe. If you allow 10 more homeowners plus family and friends to make turns in this area, a fatality is only a matter of time. Is Cal Trans aware of this problem? I do not see any correspondence in the file that addresses this. I believe the current entrance at the southern border is shared with the

2-74

Wellhead property now owned by Byron Grant and partners. This entrance is in the middle of the southern blind curve. Why not encourage Ms. Green and the other owner to create a wide entrance for both properties at this point? You would have a clear view from Prin. Road (where the stop sign is) on the south all the way to the northern blind curve (just south of Royal Oak).

I am concerned about the water supply. My well delivers 3.5 g.p.m. at best. Some neighbors report marginal wells. One neighbor had to redgill when three homes went in by just north of Royal Oak. The more home sites the greater the demand on the water table. This goes for the area as a whole. I did not find the onsite water information that is "considered satisfactory preliminary evidence of water" in the Tract 2542 file. I am sure Laurie Sago (9/25/03 letter to EA.) has more evidence than the Central Coast Drilling Feb 04, 2003 "professional opinion". Has any test drilling been done? If so did I miss the information in the file?

I have one final question regarding archaeology. Was there any kind of survey done on this property? I did not find anything in the file.

Please give my concerns and recommendations serious consideration. Larger lots could bring a better price to Ms. Green which might help offset the reduction in number. Beyond economics that include tax base to the county, it's time to set a precedence. Instead of fostering "a pattern of development that is ultimately unsustainable in the long run" to quote Ms. Guise, let's preserve the rural setting that exists.

Sincerely,

Michael T. Clark

cc: Ellen Carroll, Environmental Coordinator
Melissa Guise, SO Air Pollution Control District
John NAL, Principal Environmental Specialist

2-75

Michael T. Clark
456 Carpenter Canyon
Arroyo Grande, CA 93420

December 05, 2003

Stephanie Fuhs
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Green Tract Map 2542

Dear Ms. Fuhs:

My wife and I recently purchased the final Willhoit Trust parcel (15 acres) from AG Edwards Trust Company. We have a house (456 Carpenter Cyn.) on the adjacent 6 acres. A large portion of our 21 acres is directly across the street from Ms. Green's proposed development. Although 456 Carpenter Canyon is a legally split lot and we have one or two possible building sites on the 15 acres, we plan on preserving the open space.

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Sincerely,

Michael T. Clark

cc: Ellen Carroll, Environmental Coordinator
Melissa Guise, SO Air Pollution Control District
John NAL, Principal Environmental Specialist

Thomas J. Young
934 Longhorn Lane
Arroyo Grande, CA 9320

2-78

November 22, 2003

Warren Hoag
County of San Luis Obispo
County Gov't Center
Department of Planning and Building
San Luis Obispo, CA 93408

RE: Tentative Map for Tract 2542

Dear Mr. Hoag,

I have examined the file regarding the development of the above referenced property being requested by Carmen Green. I have also met with the planner in charge, Stephanie Fuse. I have written to you because I want to make sure you are aware of my concerns and the concerns my many neighbors that surround this property.

I have met with all the property owners listed in the CC section of this letter. Each of these people have property that is adjacent to Tract 2542. We all share similar concerns.

First there is a concern for then density proposed. Why is it that this small 25 acre tract is being split into *ten* 2.5 acre parcels when, just a short way up the same road a much less density was mandated by the county? What I speak of is that "Montecito Ridge" at 1290 Carpenter Canyon Road a 100 acre piece, with much less slope than Tract 2542, was only allowed splits into 5 and 10 acre parcels.

I understood that in the past the county was taking a "SLO" growth stance. Has this policy changed? This rampant growth that you are allowing on our road does not reflect that policy.

Considering the small amount that Ms. Green has paid for the property, ($850,000*) and the potential selling price of each building lot ($500,000*) the profit she will potentially make ($4 Million) is staggering. Why must the county allow such greed to take place? Why does just <u>one</u> property spilt have to be a person's big score? Can we stop and be a little less greedy and a little more ethical for a minute?

Let's paint an accurate picture here. This is not a property that has been in a family for a couple of generations and now they want to split it up so they can retire or give some to their children. It is a property that was recently negotiated away from a dying man for an unfair price by a real estate broker, specifically for profit. Mr. Willhoit, the previous owner for 45 years, actually died while the property was in escrow.

There is some suggestion, not by me, that this deal, having so much profit built in possibly involves kickbacks. Of course I would not suggest such a thing. I just wanted to make you aware of the rumors. This is totally unsubstantiated at this time.

Secondly, there is concern for water. I read a report in the file by a well driller that Ms. Green hired that said it is his opinion that this property could support 10 wells. His opinion? Has there been any actual research done to guarantee it?

Do you know that when just the few homes were put in across the street that my well rate dropped below what the bank required as a minimum? I had to have Farm Supply come out and drill a much deeper well. The well still isn't up to snuff. If 10 homes are built and my well goes dry the county is the first place I am going to go for reimbursement.

Thirdly, there is concern for traffic. 227 is a winding and dangerous road. The county is allowing too much development on it with little road improvement. As I come and go out of Longhorn Lane every day I witness people dangerously exceeding the speed limit and crossing over double yellow lines on blind curves to get around lines of slower motorists on this single lane road. It is just a short matter of time until someone gets killed, especially the motorcyclists who are worst offenders.

This kind of high density will certainly worsen the problem as other subdivisions on Hwy 227 already have.

Fourthly, there is a concern for the wildlife. As I sit in my backyard I see hawks, rabbits, coyotes, turkey vultures, deer, etc. that live on that property. Where will they be displaced? Is there no concern for them?

This is the last corridor left for wildlife in and out of the canyon. As this development progresses the wildlife will be cutoff from access to their homes. I would like to see a wildlife corridor developed for them.

A couple of the neighbors report hearing a high pitched sound emanating from the property one foggy evening; probably about 8 or 10 months ago. This sound could have been from a device designed to scare off wildlife before an environmental impact study could be done.

Fifth, there is concern for rare plant life. I understand that there are federally endangered shrubs on the property. One of them is the Sand Mesa Manzanita (Arclostaphlos) – not threatened under code 52.2. How will this be addressed? Anything removed and replanted during the development of the lots will certainly be removed later by the homeowners when the county is not looking. mitigation monitoring prog

Sixth, there is concern for septic systems. When I had to install a new leach field because the old one failed I was told that it failed because the ground in the area was high in a type of sandstone and percolation was very poor. Will you be allowing sewer water from 10 homes that won't leach to run freely across my yard? NO.

Lastly, there is a concern for something that, I think, the county does not take into consideration much, and that is our way of lives. Most of us have lived here for many,

many years. We moved here because of the quiet, the space between neighbors, the privacy, the wildlife, the clean groundwater and other things. This dense of a subdivision will take away all of the things we moved here for and greatly impact our way of lives.

I would much prefer to see less dense subdivision of this tract, like 5 acre or 6 acre parcels. I think this is a perfect compromise as it would allow the landowner to develop her property at a reasonable profit while allowing the adjacent neighbors a small impact on their way of life.

Do you have the ability to do the reasonable thing; the intelligent thing?

I can be reached at 756-5010 if you would like to discuss this verbally.

Sincerely,

Thomas J. Young

Thomas J. Young

Cc: Joanne Dompke
Bill Tyler
Joe Bradbury
Jim Perkey
Jason Negrete
Dave DeBorde
Tony Heacock
Kim Kubasek
Mack McCaslin
Wally Hosn
Ripley
Mike Clark
Victor Holanda

* *Information obtained from an independent appraisal service.*

2-81

COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (SF)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-004 **DATE: March 4, 2005**

PROJECT/ENTITLEMENT: Carpenter Canyon Estates Vesting Tentative Tract Map SO20346T

APPLICANT NAME: Carpenter Canyon Estates, LLC
ADDRESS: P.O. Box 1336
CONTACT PERSON: Mike Bertacinni-Engineering Development Associates **Telephone:** 805-549-8658

PROPOSED USES/INTENT: Proposal by Carpenter Canyon Estates, LLC to subdivide an existing 27.4 acre parcel into nine parcels of between 2.5 and 4.2 acres each.

LOCATION: The project is located at 757 Carpenter Canyon Road (Highway 227), approximately 1/2 mile north of the Carpenter Canyon/Printz Road intersection, approximately 1/2 mile north of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area

LEAD AGENCY: **County of San Luis Obispo Department of Planning & Building**
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Game , Regional Water Quality Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....5 p.m. on

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on_____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	**Title**	**Date**	**Public Agency**

2-82

San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo
Date: March 3, 2005

County: San Luis Obispo
Project No. S020346T/Tract 2542

Project Title: Carpenter Canyon Estates

Project Applicant

Name: Carpenter Canyon Estates, LLC
Address: P.O. Box 1336
City, State, Zip Code: San Luis Obispo, CA 93406
Telephone #: (805) 460-9948

Please remit the following amount to the **County Clerk-Recorder:**

( ) Environmental Impact Report	$	850.00
(X) Negative Declaration	$	1250.00
( ) County Clerk's Fee	$	25.00

Total amount due:

AMOUNT ENCLOSED: _____

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.

2-83

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Carpenter Canyon Estates Vesting Tentative Tract Map; ED04-004; SO20346T

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

☒ Aesthetics	☒ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☐ Hazards/Hazardous Materials	☐ Transportation/Circulation.
☒ Air Quality	☒ Noise	☒ Wastewater
☒ Biological Resources	☐ Population/Housing	☒ Water
☐ Cultural Resources	☒ Public Services/Utilities	☐ Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Stephanie Fuhs — Stephanie Fuhs — 3/2/05
Prepared by (Print) — Signature — Date

John McKenzie — John McKenzie — Ellen Carroll, Environmental Coordinator (for) — 3/2/05
Reviewed by (Print) — Signature — Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Carpenter Canyon Estates, LLC/Engineering Development Associates for a Vesting Tentative Tract Map to allow for the subdivision of a 27.4 acre parcel into nine parcels ranging in size between 2.5 and 4.2 acres each for the sale and/or development of each proposed parcel. Site disturbance will be approximately 10 acres. The project is located at 757 Carpenter Canyon Road (Highway 227), on the west side of Carpenter Canyon Road, approximately 1/2 mile north of Printz Road, approximately 1/2 mile north of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area.

ASSESSOR PARCEL NUMBER(S): 047-137-021 SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: San Luis Bay (Inland), Rural

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Moderately sloping to steeply sloping

VEGETATION: Grasses , forbs , oak woodland , eucalyptus

PARCEL SIZE: 27.4 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Suburban; residential	*East:* Residential Suburban; residential
South: Residential Suburban; residential	*West:* Residential Suburban; residential

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1. **AESTHETICS** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☒	☐	☐
b) Introduce a use within a scenic view open to public view?	☐	☒	☐	☐
c) Change the visual character of an area?	☐	☒	☐	☐
d) Create glare or night lighting which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other _____	☐	☐	☐	☐

Setting. The subject property is moderately to steeply sloping. It is visible from Highway 227 and several surrounding local public roads, including Royal Oak Way. The existing site vegetation is predominately oak woodland and mature eucalyptus trees, with scattered pockets of chaparral and grassland areas. The surrounding development can be characterized as suburban ranchette development with typical lots of 2.5 to 5 acres each with residences, sometimes including non-commercial farm or livestock activities.

Impact. As proposed, the project would result in residential development of nine parcels, potentially including residences, secondary units and access roads. This will result in visual impacts to public views when traveling north on Highway 227 from the City of Arroyo Grande and surrounding local roads (most notably from Royal Oak Way east of the project site). The project proposes removal of most of the eucalyptus groves, which are in the south-central portion of the property. Most of the existing oak woodland found throughout the remainder of the property will be retained. Loss of the mature eucalyptus trees, averaging between 50-60 feet in height, will increase visual impacts to the surrounding area. Development on parcels 1 and 4 through 9 are of special concern due to the location toward the top of the slope and potential for silhouetting once the mature eucalyptus trees are removed. Most existing oak trees (averaging about 30 feet in height) along Highway 227 will be retained, as well as substantial groves in the western and northern portions of the subject property. Without retention of the existing oak trees of the upper lots, ridgeline silhouetting would be expected.

Mitigation/Conclusion. In order to lessen the visual impacts associated with development of the proposed parcels from the surrounding public roadways, the following mitigation measures have been agreed to by the applicant (see attached Developer's Statement) and will become conditions of approval for the project: 1) providing a 30-100 foot landscape easement (as shown on the tentative

map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting, 3) retaining "critical view protection trees", 4) minimizing the structure massing of new development, 5) providing muted colors for new development. Incorporation of these measures will reduce impacts to less than significant levels.

2. AGRICULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Convert prime agricultural land to non-agricultural use?*	☐	☐	☐	☒
b) *Impair agricultural use of other property or result in conversion to other uses?*	☐	☐	☒	☐
c) *Conflict with existing zoning or Williamson Act program?*	☐	☐	☐	☒
d) *Other* _____	☐	☐	☐	☐

Setting. The soil types include:

Arnold loamy sand (9-15%) Los Osos loam (15-50%)

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "IV", and the "irrigated soil class is "not applicable" to "IV".

Impact. The project is located in a predominantly non-agricultural area with no production agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☐	☒	☐
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	☐	☐	☒	☐
c) *Create or subject individuals to objectionable odors?*	☐	☐	☒	☐

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3. AIR QUALITY - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Be inconsistent with the District's Clean Air Plan?	☐	☒	☐	☐
e) Other Cumulative	☐	☒	☐	☐

Setting/Impact. The project would result in nine residential lots, which will have short-term construction and long-term emission impacts. The project was referred to the Air Pollution Control District (APCD) for potential air quality impacts and consistency with the Clean Air Plan (CAP). Per APCD's response (see attached), the following issues were identified: inconsistent with CAP land use strategies; sufficient ground disturbance/ grading to warrant construction dust control measures; exceedence of (daily, quarterly) thresholds for (dust, vehicle emissions) to warrant air quality mitigation. To mitigate for short-term construction impacts, the District recommended the following measures be incorporated into the project: comply with APCD's standard construction dust control measures and the prohibition of developmental burning.

Mitigation/Conclusion. The project will be required to comply with the following standard construction or operational mitigation measures, as described in APCD's response or CEQA Air Quality Handbook: subject to construction measures such as, reducing area of disturbance, use of water or establishing vegetation for dust suppression, limiting construction vehicle speeds, covering haul vehicles during material transport; incorporate operational emission reductions by including several measures to increase efficiency above minimum state requirements and/or provide for alternative transportation modes. In addition, developmental burning will not be allowed as part of development of the project site. The applicant has agreed to incorporate these measures into the project (see Developer's Statement). Therefore, upon implementation of these measures, air quality impacts will be reduced to less than significant levels.

The Clean Air Plan includes land use management strategies to guide decisionmakers on land use approaches that result in improved air quality. As identified by APCD, this development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan, which, based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; and 2) standard forecast modeling (e.g., latest ARB URBEMIS) identifies that vehicles in the near future will produce substantially lower emissions (e.g., use of electric, hybrid and advanced technology vehicles). Based on the above discussion, (given the smaller number of potential new residences,) both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

Based on the proposed project and implementation of the proposed mitigation measures relating to air quality, impacts will be reduced to less than significant levels.

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4. BIOLOGICAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	☐	☒	☐	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☒	☐	☐
c) Impact wetland or riparian habitat?	☐	☐	☒	☐
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	☐	☐	☒	☐
e) Other _____	☐	☐	☐	☐

Setting. Vegetation on the site consists mostly of oak woodland along the northern, central and eastern portions of the site and mature eucalyptus trees in the south western and central portions of the site, and scattered coastal scrub and grassland vegetation over the remainder area. The Natural Diversity Database (2003) identified the following species within close proximity of the proposed project:

Plants: Pismo clarkia

Wildlife: California red-legged frog

Portions of the eucalyptus grove have the potential for temporary nesting areas for raptors or migratory birds. A biological report was completed (Althouse and Meade, Inc., June 2003) which has identified Obispo Indian Paintbrush, Wells's manzanita, and Straight-awned spineflower, all of which are considered special status species by the California Native Plant Society. No Pismo clarkia was found during this survey.

Impact. The proposed project is requesting to remove up to 25 oak trees, two pine trees and 124 eucalyptus trees for tract improvements, building envelope and native plant restoration. An additional 30 oak trees will be impacted as a result of tract improvements. The tract improvements and building envelopes have been sited to minimize impacts to the remaining native oak trees and sensitive vegetation. The proposed improvements relating to the tract map phase will result in approximately 10 acres of site disturbance. The project proposes substantial portions of the property to be designated as open space to protect the native habitat.

Special Status Plant Species
The project's design includes a permanent, natural open space, which protects large areas where sensitive plant species are found. For areas where development will impact or remove sensitive plants, mitigation measures for replacement and monitoring will be required.

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Tree Removal
The site is almost entirely covered in trees, most of which are eucalyptus and coast live oaks. Scattered non-native pines also exist on the site. Most of the eucalyptus are planned for removal (124 trees).

Several additional trees within the building envelopes for each of the lots could be removed with subsequent residential development.

The subject property does not include any surface water bodies or other wet areas that may support California red-legged frog (CRLF) habitat. Such habitat does exist to the east of the subject property. However, no significant impacts to CRLF are expected.

Mitigation/Conclusion. The applicant has revised and redesigned the project to reduce impacts to the oaks to a great extent. Also, the applicant proposes placing approximately 14 acres of the subject property site in permanent open space, which will allow only activities that help the long-term protection of native plant species. In addition, the applicant has agreed to replant approximately160 oak trees, based on the actual amount of tree removal, for those proposed to be removed or impacted for proposed improvements. Also, additional trees will be planted for impacts of future development within each lot's building envelope. Implementation of the proposed project improvements will result in the removal of up to 25 (oak) trees and will impact up to an additional 30 trees. In addition, a mitigation and monitoring plan was prepared (Althouse and Meade, Inc., June 2003) which proposes mitigation for coast live oak trees and three plant species listed above. The project will be required to incorporate the following measures to reduce potential biological impacts to less than significant levels: In addition, the applicant has agreed to limit the timing of the removal of the eucalyptus trees to avoid nesting season for raptors and migratory birds (between March and July).

The applicant has agreed to replace the oak trees removed at a 4:1 ratio and the impacted trees at a 2:1 ratio, and will plant approximately160 oak tree seedlings, depending upon the actual amount of tree removal required for subdivision improvements. Sufficient area has been shown to exist on site for replanting efforts. These seedlings will be cared for (e.g. adequate watering, weeding, remedial work) until they are successfully established, and include at least a five-year monitoring requirement. The applicant has also agreed to protect all remaining trees during construction of improvements during tract development.

The botanical report provides a mitigation plan intended to result in no net loss of sensitive plant species. Based on this report, there is sufficient area on-site to re-establish sensitive species lost.

The project will be required to prepare and implement a Stormwater Pollution Prevention Plan, and will include measures to reduce potential sedimentation, erosion and drainage impacts to secondary impacts associated with polluted water runoff to nearby biologically sensitive water sources.

Based on the above discussion, impacts on biological resources can be mitigated to less than significant levels.

5. CULTURAL RESOURCES - *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb pre-historic resources?	☐	☐	☒	☐
b) Disturb historic resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐

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5. CULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Other _____	☐	☐	☐	☐

Setting. The project is generally located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A Phase I surface survey was conducted (Parker and Associates/February 2003). No evidence of cultural materials was noted on the property, therefore, impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?	☐	☐	☐	☒
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☐	☒	☐	☐
d) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☒	☐	☐
e) Include structures located on expansive soils?	☐	☐	☐	☒
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☒	☐	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☐	☒

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6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*	☐	☐	☒	☐
i) *Preclude the future extraction of valuable mineral resources?*	☐	☐	☒	☐
j) *Other* _____	☐	☐	☐	☐

Setting. GEOLOGY - The topography of the project is moderately sloping to steeply sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low.No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development is approximately 250 feet east of the property. As described in the NRCS Soil Survey, the soil is considered not well to moderately drained. Most future development on the subject property, including tract improvements, will be required to prepare a drainage plan (per County Land Use Ordinance, Sec. 22.52.080) that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing on-site retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

SEDIMENTATION AND EROSION - The soil types include:

Arnold loamy sand (9-15%) Los Osos loam (15-30%)

As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility to moderate erodibility, and low to high shrink-swell characteristics.

Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant.

A sedimentation and erosion control plan shall be prepared (per County Land Use Ordinance (Inland), Sec. 22.52.090) and incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.

The Clean Water Act has established a regulatory system for the management of storm water discharges from construction, industrial and municipal sources. The California State Water Resources Control Board (SWRCB) has adopted a National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit that requires the implementation of a Storm Water Pollution Prevention Plan (SWPPP) for discharges regulated under the SWRCB program. Currently, construction sites of one acre and greater may need to prepare and implement a SWPPP which

focuses on controlling storm water runoff. Municipal and industrial sources are also regulated under separate NPDES general permits. The Regional Water Quality Control Board is the local extension of the SWRCB, who currently monitors these SWPPPs. This project is disturbing more than one acre and will therefore be subject to the NPDES program.

Impact. As proposed, the grading plan for tract improvements and associated development (e.g., access road and driveways, eucalyptus tree removal, etc.) the project will result in the disturbance of approximately 10 acres.

Mitigation/Conclusion. Implementation of the above-referenced drainage plan for tract improvements will reduce potential tract improvement drainage impacts to less than significant levels. In the future, each lot will be reviewed separately for drainage impacts, and at such time determined if a subsequent drainage plan will be necessary to minimize potential off-site impacts. Implementation of the previously-referenced sedimentation and erosion control plan will reduce potential tract improvement sedimentation and erosion impacts to less than significant levels. Individual sedimentation and erosion impacts from development of each lot will be reviewed as each lot is developed. At such time, sedimentation and erosion impacts will be evaluated, and when appropriate a sedimentation and erosion control plan required. In addition, since there will be over an acre of disturbance to construct subdivision improvements, the applicant will need to receive a NPDES general permit and prepare a SWPPP as mentioned above. There is no evidence that measures above what will already be required as stated above or by ordinance or code are needed.

7. **HAZARDS & HAZARDOUS MATERIALS** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) ***Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?***	☐	☐	☒	☐
b) ***Interfere with an emergency response or evacuation plan?***	☐	☐	☒	☐
c) ***Expose people to safety risk associated with airport flight pattern?***	☐	☐	☐	☒
d) ***Increase fire hazard risk or expose people or structures to high fire hazard conditions?***	☐	☒	☐	☐
e) ***Create any other health hazard or potential hazard?***	☐	☐	☐	☒
f) ***Other*** _____	☐	☐	☐	☐

Setting. The project is not located in an area of known hazardous material contamination. The project is within a moderate to high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. A referral was sent to CDF to

evaluate the tract's potential for fire safety concerns. Removal of the eucalyptus grove will substantially reduce potential fire hazards. Prior to completion of tract improvements, CDF will complete its review for adherence to the Uniform Fire Safety Code. In addition, as individual development is proposed, a Fire Safety Plan will need to be approved by CDF for each residence. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No potentially significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary above what is required by ordinance or code regulations.

8. NOISE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	☐	☐	☐	☒
b) Generate increases in the ambient noise levels for adjoining areas?	☐	☐	☒	☐
c) Expose people to severe noise or vibration?	☐	☐	☒	☐
d) Other _____	☐	☐	☐	☐

Setting. The project is adjacent to Highway 227, which is considered a potential noise source. The County Noise Element identifies that at development buildout of the area, the acceptable outdoor noise level of 60 decibels will be pushed back to approximately 129 feet from the centerline of Highway 227. There are no other known loud noise sources near the subject property.

Impact. During tract improvements and subsequent individual development, there will be some temporary construction noise. The project is not expected to generate loud noises other than the temporary construction noise, nor conflict with the surrounding uses. Proposed building envelopes of all properties adjacent to Highway 227 are at least 129 feet, thereby reducing potential exterior noise level impacts to acceptable levels.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary. Compliance with County Noise Element standards for construction hours (between 7 a.m and 9 p.m. Monday through Friday and between 8.a.m and 5 p.m. on Saturdays and Sundays) is required.

9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☒	☐

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9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Create the need for substantial new housing in the area?	☐	☐	☐	☒
d) Use substantial amount of fuel or energy?	☐	☐	☒	☐
e) Other _____	☐	☐	☐	☐

Setting. In its efforts to provide for affordable housing, the county currently administers a Community Development block Grant Program, which provides grants to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☒	☐	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other _____	☐	☐	☐	☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is approximately eight miles to the SLO Airport station and within the 15 minute response time zone. The closest Sheriff substation is at Oceano, which is approximately five miles from the proposed project. The project is located in the Lucia Mar Unified School District.

Impact. The project proposes to remove most of the eucalyptus trees, which are considered a very flammable tree, which will substantially reduce impacts. The project proposes numerous access roads, which may second as fire breaks. CDF will review tract improvements prior to their completion for installation of adequate fire safety measures (e.g., adequate road widths and road grades). As proposed, road grades and widths appear acceptable to meet CDF requirements. Each lot will be using an on-site well and providing individual water storage tanks as each lot is developed. Fire Safety Plans shall be required for each residence as each lot is developed that will include a number of measures to minimize fire safety impacts (e.g., adequate fire water storage, 30 foot setbacks from flammable vegetation, use of fire-resistant construction materials, good addressing, etc.).

Regarding road impacts, the project has been reviewed by Caltrans and County Public Works, which are discussed further in the Transportation section.

Mitigation/Conclusion. Compliance with the Uniform Fire Code will be required by CDF for tract improvements and future residential development. Public facility and school fee programs have been adopted to address the project's cumulative impacts. Based on these factors and the above discussion, the public services impacts are considered less than significant.

11. RECREATION - *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Increase the use or demand for parks or other recreation opportunities?	☐	☐	☒	☐
b) Affect the access to trails, parks or other recreation opportunities?	☐	☐	☒	☐
c) Other _____	☐	☐	☐	☐

Setting. The County Trails Plan does not show a potential trail through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. The "Quimby" fee will adequately mitigate the project's cumulative impact on recreational facilities. No significant recreation impacts are anticipated, and no additional mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**

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12. TRANSPORTATION/ CIRCULATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Levels of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Result in inadequate parking capacity?	☐	☐	☒	☐
f) Result in inadequate internal traffic circulation?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☐	☒
i) Other _____	☐	☐	☐	☐

Setting. Future development from the proposed nine lots will access onto Carpenter Canyon Road (Highway 227) at one access point. The identified roadway is operating at acceptable levels. Referrals were sent to County Public Works and Caltrans.

Impact. The proposed project is estimated to generate about 172 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips per residential unit (looking at a "worst case scenario of a primary and secondary unit on each of the nine parcels. This amount of additional traffic will not result in a significant change to the existing road service levels. On traffic safety, Caltrans expressed initial concerns regarding sight distance from the proposed driveway location. A sight distance evaluation was performed by a qualified traffic engineer (Associated Transportation Engineers; Sept, 2004). This analysis identified that there is adequate sight distance from the proposed driveway location when applying an approach speed of 55 mph (the posted speed limit is 45 mph) on this rural section of highway. All other nearby county roads are also operating at acceptable levels, and their levels of service would not change as a result of the proposed development.

Mitigation/Conclusion. Due to the determination of adequate sight distance from the proposed access road and the acceptable levels of road service, no mitigation measures are necessary or proposed.

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13. WASTEWATER - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☒	☐	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	☐	☒	☐	☐
c) Adversely affect community wastewater service provider?	☐	☐	☐	☒
d) Other _____	☐	☐	☐	☐

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: poor filtering characteristics, slow percolation steep slopes, and shallow depth to bedrock. These limitations are summarized as follows:

Poor Filtering Characteristics – due to the very permeable soil; without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent; to achieve compliance with the Central Coast Basin Plan, depth to groundwater information will need to be provided at the building permit stage. In this case, due to the limited availability of information relating to the poor filtering soil characteristic, the following additional information will be needed prior to issuance of a building permit: soil borings at leach line location showing that there is adequate separation, and plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. In this case, due to limited availability of information relating to the shallow depth to bedrock characteristic, the following additional information will be needed prior to issuance of a building permit: soil borings at leach line location(s) showing that there is adequate distance to bedrock. If adequate distance cannot be shown, a county-approved plan for an engineered wastewater system showing how the basin plan criteria can be met will be required.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are on or located within close proximity of steep slopes where some potential of effluent daylighting exists. A registered civil engineer familiar with wastewater systems, shall prepare an analysis that shows the location and depth of the leach lines will have no potential for daylighting of effluent.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

2-98

Impact. The project proposes to use an individual on-site wastewater system for each lot as its means to dispose wastewater. Leach lines shall be located within each of the proposed building envelopes. These envelopes are located on slopes less than 30%.

Mitigation/Conclusion. Future leach lines shall be located at least 100 feet from any individual well and, if applicable, at least 200 feet from any community/public well. Prior to map recordation, the property owner shall be required to submit sufficient soil percolation and soil boring information to show how the future septic systems will comply with the Central Coast Basin Plan for any potential constraint listed above. Map recordation will not be approved by the Environmental Health Department if Basin Plan criteria cannot be met.

14. **WATER** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any water quality standards?*	☐	☐	☒	☐
b) *Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?*	☐	☐	☒	☐
c) *Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?*	☐	☒	☐	☐
d) *Change the quantity or movement of available surface or ground water?*	☐	☒	☐	☐
e) *Adversely affect community water service provider?*	☐	☐	☒	☐
f) *Other* _____	☐	☐	☐	☐

Setting/Impact. The project proposes to use individual on-site wells as its water source. This area is not within a defined larger groundwater basin and depends on smaller, more isolated groundwater basins. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on information available to the Environmental Health Division, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is moderately sloping to steeply sloping. The closest creek from the proposed development is approximately 250 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility. Approximately 14 acres are proposed for disturbance relating to tract improvements and the creation of building envelopes.

Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 10.62 acre feet/year (AFY)

9 residential lots (w/primary residence (0.85 afy) and secondary unit (0.33 afy) X 9 lots) = 10.62 afy

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

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Mitigation/Conclusion. Due to limited information available on long-term water availability, water conservation measures are recommended for future residential development. These measures include: limiting the amount of turf, use of drought tolerant landscaping and water conserving construction standards. These measures are considered adequate to reduce potential water impacts of the development. Standard drainage and erosion control measures (see Geology section) will be required for the proposed project and will minimize surface water quality impacts.

15. LAND USE - *Will the project:*	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) *Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?*	☐	☒	☐	☐
b) *Be potentially inconsistent with any habitat or community conservation plan?*	☐	☐	☐	☒
c) *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*	☐	☐	☒	☐
d) *Be potentially incompatible with surrounding land uses?*	☐	☐	☒	☐
e) *Other* _____	☐	☐	☐	☐

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used), with the exception of the land use strategy section of the Clean Air Plan (refer to Air Quality section). While somewhat inconsistent with the land use strategy section of the CAP, it is not considered significant because: it is a small number of lots, the development is within the density analyzed by the Clean Air Plan at a countywide level; it is relatively close to an urban area (about ¼ mile from the City of Arroyo Grande), and future air quality modeling of vehicles shows a high mix of cleaner vehicle emissions and cleaner air when compared to the present.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent with the surrounding uses (being residential uses on 2.5+ acre parcels) as summarized on page 2 of the Initial Study.

Mitigation/conclusion. No significant inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

2-100

16. MANDATORY FINDINGS OF SIGNIFICANCE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

~~2-101~~ 2-101

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Division	**Attached**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Game	**Not Applicable**
☒	CA Department of Forestry	**Attached**
☒	CA Department of Transportation	**Attached**
☐	Community Service District	**Not Applicable**
☒	Other Co. Park and Recreation	**Attached**
☐	Other _____	**Not Applicable**

*** "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☒ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☒ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan
- ☒ San Luis Bay (Inland) Area Plan and Update EIR
- ☐ Circulation Study

Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other ____

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Botanical Assessment, Althouse and Meade, June 2003, updated August 2004.

Archaeological Surface Survey, Parker and Associates, February 2003.

Site Distance Evaluation, Associated Transportation Engineers, September 2004.

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Exhibit B - Mitigation Summary Table

Aesthetics

1. **Prior to issuance of construction permits or approval of tract improvements, and prior to vegetation removal for Parcels 4-9**, the applicant shall show the 30-100 foot landscape easement (as shown on the tentative map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting. Where any construction is proposed within 25 feet, this easement shall be fenced to prevent construction impacts or vegetation removal. All smaller trees within this easement shall be retained. No trimming of any tree shall be allowed unless it is clearly shown to the county that trimming will eliminate an eminent health hazard. Plant material shall be evergreen, fast-growing, drought-tolerant, and properly sized to be in scale with the proposed structure and surrounding native vegetation. The landscape plan shall be approved by the County.

2. **Upon submittal of construction permits for each parcel**, plans shall show existing trees that are outside, but within 50 feet, of the building envelope that are also between the proposed structure and Highway 227. Working with CDF, residences shall be located far enough away from these trees to avoid the need of trimming or removing any of these potential screening trees.

3. **Prior to issuance of construction permits on all parcels**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).

4. **Prior to issuance of construction permits on all parcels**, the applicant shall show the design of proposed residences with hipped roof forms or shaped to follow the sloped hill forms with rounded profiles. No projecting angles or long boxed ridgelines shall be allowed.

5. **Prior to issuance of construction permits on all parcels**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and Highway 227.

6. **Prior to issuance of construction permits for each parcel**, the applicant shall submit individual lot elevations along with a through the site cross section from the most visible points on Highway 227 and Royal Oak Way that clearly illustrates the relationship between the proposed development and the backdrop landforms (not including existing residences) to determine if silhouetting will occur with the proposed development. All efforts shall be made to avoid silhouetting (e.g., redesign, locate in

less visible area, etc.). If any proposed structures could silhouette, the project shall complete a pre-construction visual study including, but not necessarily limited to, a pylon or stick simulation to represent the structure height at finished floor elevation to show that silhouetting will not occur. Should this study show that structures will be visible and could be more than one story and still not silhouette, the design of any two story structure shall be such to avoid any large massing or large vertical or horizontal uninterrupted surfaces. This study and proposed building plans shall be reviewed and approved by the County **prior to permit issuance**. In addition, the applicant shall provide to the county for approval how the design, materials, colors, location and landscaping of future residences will result in the building(s) receding into the existing natural environment, and screened from Highway 227 and Royal Oak Way views. If landscaping is required, a five year monitoring program shall be required to verify establishment of landscaping installed.

7. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans, as shown on the attached exhibit. All new development (e.g. residences, detached garages, guest houses, sheds, septic tanks and leach lines shall be completely located within the building envelope(s) and/or within the building control line(s), with the exception of leach lines, which may be located outside the envelopes, outside of the open space easement area (except on Parcels 2 and 3) and outside driplines of existing/replanted coast live oak trees or other sensitive vegetation, as identified in the botanical report.

8. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 227 or Royal Oak Way shall exceed six feet in vertical height above or below the existing ground surface. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.

9. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 227 and Royal Oak Way. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

10. **At the time of application for construction permits for each parcel**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall

provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Highway 227 and Royal Oak Way.

11. Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 227 and Royal Oak Way. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first**.

Air Quality

12. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
    a. Reduce the amount of disturbed area where possible,
    b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
    c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
    d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
    e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
    f. All dirt stock-pile areas should be sprayed daily as needed.

13. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Biological Resources

14. **Prior to recordation of the final map**, the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to create an open space easement over approximately fourteen acres of the project as shown in the attached exhibit. The terms of the open space easement will allow only activities that help the long term protection of native plant species. No off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities is allowed in the open space easement area with the exception of leach lines for proposed parcels 2 and 3 which may be located within the easement area outside of the driplines of existing coast live oak trees. These provisions for limited open space use shall be added to any CC&Rs developed for the project.

15. **As a part of a second sheet of the tract map and included as a part of any individual construction permit application**, and included in any CC&Rs developed for the project, the following shall apply to the areas within the open space and those not specified as open space and outside of the specified building envelopes and access roads: no oak trees, or other visually significant vegetation, shall be impacted or removed except for areas proposed for leach fields (removing and impacting trees for leach lines shall be to the least extent feasible), or proposed eucalyptus removal area; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. As shown on exhibit "A" (open space areas and building envelopes), all applicable plans shall show open space areas and building envelopes, where all trees outside of the building envelopes shall be protected during all construction activities. Plans shall show how these trees will be protected from any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge (e.g., install sturdy fencing, install retaining walls, etc.). This protection shall be installed prior to construction work beginning and remain in effect during the entire construction phase.

16. **Prior to commencement of tree removal associated with subdivision improvements or new residential development**, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

17. **Upon submittal of the tract improvement plans**, a tree replacement plan shall be included, which shows all coast live oak trees (with 6" diameter or greater at 4 feet from ground) to be removed (up to 25) and impacted (up to 30). Removed trees shall be replaced at a 4:1 ratio and impacted trees at a 2:1 ratio, which equates to approximately 160 tree seedlings, depending upon the actual amount of tree removal. Average tree planting density shall be no greater than 10 feet on center. The tree replacement plan shall also indicated the method for irrigation, mulching, caging and what amendments will be used until the plants are successfully established.

18. These seedlings will be cared for (e.g. adequate watering, weeding, remedial work) until they are successfully established. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

19. **At the time of final inspection of subdivision improvements**, the applicant shall submit a letter from the qualified botanist stating that all of the required replacement/ landscaping vegetation was planted and any other related specified measures are in place (e.g., irrigation, mulching, etc.).

20. **Prior to recordation of the final map**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than five years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the five year monitoring period shall be the responsibility of the applicant.

21. **Prior to recordation of final map or approval of subdivision improvement plans**, whichever occurs first, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of five years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to initiation of subdivision improvements or site grading, a performance bond, equal to the cost estimate, shall be posted by the applicant.

22. **At the time of application for subdivision improvement plans, grading permits, and construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

23. **Prior to final inspection of grading and/or construction permits**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the

Environmental Coordinator. The cost for the three year monitoring period shall be the responsibility of the applicant.

24. **At the time of application for subdivision improvement plans, grading permits and construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

25. **Prior to final inspection of subdivision improvements or grading permits**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.

26. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

    Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

27. To minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/ tract improvements and for the life of the project:
    a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.

b. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan as required by #10 above.

c. Any CC&R's created shall include the above provisions to protect the native habitat.

28. **Upon submittal of tract improvement plans**, all measures provided in the Mitigation Monitoring and Reporting Plan (Appendix E, Botanical Assessment, Althouse and Meade, 2003) shall be shown on applicable plans relating to restoration of sensitive plants impacted. Should any measures conflict with conditions of approval, conditions of approval shall be considered superior. These measures shall be completed **prior to recordation of final map**.

29. **Upon submittal of future individual lot construction permits for Lots 1 and 7**, applicable plans shall show those sensitive plants as identified in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). A county-qualified botanist shall identify the impacts to those plants, as well as identify how these impacts will be mitigated to result in no net loss of the species. Protection measures shall be installed prior to any ground disturbance. Replacement measures shall be completed prior to final inspection or occupancy, whichever comes first.

30. **Prior to map recordation**, if it is shown that insufficient area is available for all restoration efforts of the sensitive vegetation impacted, the applicant shall submit for county-approval, an "Off-site Restoration Plan" (prepared by a county-qualified botanist) that shows a comparable off-site area can be restored with the sensitive plants needing planting off-site. Such a site must have the following components:
    a. The off-site area is owned or controlled by a non-profit or governmental agency;
    b. It is shown that the intent for the area will be to protect it in perpetuity with the primary goal to reestablish and maintain native habitat;
    c. There is adequate area available for plant restoration (at maturity);
    d. It is within close proximity of the subject property;
    e. The area targeted is clearly shown to have all of the necessary requirements for successful reestablishment of the plant/habitat (that will be better than or equal to the area(s) being eliminated) without the need of any long-term artificial maintenance (other than occasional weeding and providing for temporary irrigation water);
    f. If feasible or appropriate, the seed from the subject property shall be used for the target area, as determined appropriate by the botanist;
    g. Submittal of a cost estimate by a qualified individual for: property acquisition, site evaluation reporting, all restoration work, and monitoring/ maintenance/ remedial work for at least 3 years;
    h. Payment by the applicant for the work described in the cost estimate, and establishment of a bond for the cost estimate to be held by the county until targeted area is considered successfully restored by botanist;
    i. If targeted area fails, bond shall be applied to establishing a second area, using the criteria outlined above.

<u>Geology and Soils</u>

31. **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential

drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

32. **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.
    a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
    b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.
    c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
    d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

33. **Prior to initiation of tract improvements**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

34. All disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

"CHAPARRAL" SEED MIX(1)

Species	lbs/ac
Adenostoma fasciculatum (chamise)	*0.50*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Dendromecon rigida (bush poppy)	*0.25*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*

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Heteromeles arbutifolia (toyon)	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

"COAST LIVE OAK" SEED MIX(1)

Species	lbs/ac
Eschscholzia californica (California Poppy)	*0.50*
Heteromeles arbutifolia (toyon)	*0.50*
Lotus scoparius (deerweed)	*0.50*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rosa californica (California rose)	*0.20*
Rubus ursinus (California blackberry)	*0.20*
Salvia spathacea (pitcher sage)	*1.00*

"COASTAL DUNE SCRUB" SEED MIX(1)

Species	lbs/acre
Abronia umbellata (pink sand verbena)	*0.25*
Artemisia californica (California sagebrush)	*0.25*
Ceanothus cuneatus (buckbrush)	*1.00*
Corethrogyne filaginifolia (California aster)	*0.25*
Croton californicus	*0.20*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Horkelia cuneata	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rhamnus californica (coffeeberry)	*0.20*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	*1.50*

Noise

35. **Upon submittal of construction permits for Lots 2, 3, and 4**, plans showing project design and location within the proposed building envelopes shall clearly show that all outdoor activity areas will be no closer than 129 feet from the centerline of Highway 227.

Wastewater

36. **Prior to issuance of a building permit**, the applicant shall submit soil boring information at the proposed leach line location showing that adequate distance to bedrock exists or shall submit plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Water

37. Prior to final inspection or occupancy (whichever occurs first), the following measures shall be applied to the proposed turf areas:
    a. To maximize drought tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
    b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
    c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
    d. Slopes for turf areas shall be no more than 4%.

38. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 500 square feet with remaining landscaping being drought tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

39. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

40. **Prior to final inspection of construction permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

Miscellaneous

41. **Prior to approval of tract improvement plans**, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure compliance with County Conditions of Approval and Mitigated Negative Declaration measures relating to tract improvements. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor and any county administrative fees, shall be paid for by the applicant.

    The monitor will prepare a working monitoring plan that reflects the County-approved environmental mitigation measures/ conditions of approval. This plan will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily

and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

As individual development is proposed, it will be reviewed by the county for the need of an environmental monitor. If an environmental monitor is determined necessary by the county, the monitor shall use the above process as it relates to the specific lot proposed for development.

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Revised **DATE: January 19, 2005**

DEVELOPER'S STATEMENT FOR
CARPENTER CANYON ESTATES VESTING TENTATIVE TRACT MAP (TRACT 2542)
ED04-004 (S020346T)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Aesthetics

1. **Prior to issuance of construction permits or approval of tract improvements, and prior to vegetation removal for Parcels 4-9,** the applicant shall show the 30-100 foot landscape easement (as shown on the tentative map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting. Where any construction is proposed within 25 feet, this easement shall be fenced to prevent construction impacts or vegetation removal. All smaller trees within this easement shall be retained. No trimming of any tree shall be allowed unless it is clearly shown to the county that trimming will eliminate an eminent health hazard. Plant material shall be evergreen, fast-growing, drought-tolerant, and properly sized to be in scale with the proposed structure and surrounding native vegetation. The landscape plan shall be approved by the County.

   Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinator's Office.

2. **Upon submittal of construction permits for each parcel,** plans shall show existing trees that are outside, but within 50 feet, of the building envelope that are also between the proposed structure and Highway 227. Working with CDF, residences shall be located far enough away from these trees to avoid the need of trimming or removing any of these potential screening trees.

   Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinator's Office.

3. **Prior to issuance of construction permits on all parcels,** the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc.

and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

4. **Prior to issuance of construction permits on all parcels**, the applicant shall show the design of proposed residences with hipped roof forms or shaped to follow the sloped hill forms with rounded profiles. No projecting angles or long boxed ridgelines shall be allowed.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

5. **Prior to issuance of construction permits on all parcels**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and Highway 227.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

6. **Prior to issuance of construction permits for each parcel**, the applicant shall submit individual lot elevations along with a through the site cross section from the most visible points on Highway 227 and Royal Oak Way that clearly illustrates the relationship between the proposed development and the backdrop landforms (not including existing residences) to determine if silhouetting will occur with the proposed development. All efforts shall be made to avoid silhouetting (e.g., redesign, locate in less visible area, etc.). If any proposed structures could silhouette, the project shall complete a pre-construction visual study including, but not necessarily limited to, a pylon or stick simulation to represent the structure height at finished floor elevation to show that silhouetting will not occur. Should this study show that structures will be visible and could be more than one story and still not silhouette, the design of any two story structure shall be such to avoid any large massing or large vertical or horizontal uninterrupted surfaces. This study and proposed building plans shall be reviewed and approved by the County prior to permit issuance. In addition, the applicant shall provide to the county for approval how the design, materials, colors, location and landscaping of future residences will result in the building(s) receding into the existing natural environment, and screened from Highway 227 and Royal Oak Way views. If landscaping is required, a five year monitoring program shall be required to verify establishment of landscaping installed.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

7. **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans, as shown on the attached exhibit. All new development (e.g. residences, detached garages, guest houses, sheds, septic tanks) shall be completely located within the building envelope(s) and/or within the

building control line(s), with the exception of leach lines, which may be located outside the envelopes, outside of the open space easement area (except on Parcels 2 and 3) and outside driplines of existing/replanted coast live oak trees or other sensitive vegetation, as identified in the botanical report.

Monitoring: Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinators Office.

8 **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 227 or Royal Oak Way shall exceed six feet in vertical height above or below the existing ground surface. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

9 **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 227 and Royal Oak Way. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

10. **At the time of application for construction permits for each parcel**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Highway 227 and Royal Oak Way.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

11. Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 227 and Royal Oak Way. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.**

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

Air Quality

12. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
    a. Reduce the amount of disturbed area where possible,
    b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (non-potable) water should be used whenever possible.
    c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
    d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
    e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
    f. All dirt stock-pile areas should be sprayed daily as needed.

13. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Monitoring: Compliance will be verified by the APCD and Planning and Building Department.

Biological Resources

14. **Prior to recordation of the final map,** the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to create an open space easement over approximately thirteen acres of the project as shown in the attached exhibit. The terms of the open space easement will allow only activities that help the long term protection of native plant species. No off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities is allowed in the open space easement area with the exception of leach lines for proposed parcels 2 and 3 which may be located within the easement area outside of the driplines of existing coast live oak trees. These provisions for limited open space use shall be added to any CC&Rs developed for the project.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments.

15. **As a part of a second sheet of the tract map and included as a part of any individual construction permit application,** and included in any CC&Rs developed for the project, the following shall apply to the areas within the open space and those not specified as open space and outside of the specified building envelopes and access roads: no oak trees, or other visually significant vegetation, shall be impacted or removed except for areas proposed for leach fields (removing and impacting trees for leach lines shall be to the least extent feasible), or proposed eucalyptus removal area; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. As shown on exhibit "A" (open space areas and building envelopes), all applicable plans shall show open space areas and building envelopes, where all trees outside of the building envelopes shall be protected during all construction activities. Plans shall show how these trees will be protected from any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge (e.g., install sturdy fencing, install retaining walls, etc.). This protection shall be installed prior to construction work beginning and remain in effect during the entire construction phase.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments.

16. **Prior to commencement of tree removal associated with subdivision improvements or new residential development**, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

Monitoring: Compliance will be verified by the Public Works and Planning and Building

Departments.

17. **Upon submittal of the tract improvement plans**, a tree replacement plan shall be included, which shows all coast live oak trees (with 6" diameter or greater at 4 feet from ground) to be removed (up to 25) and impacted (up to 30). Removed trees shall be replaced at a 4:1 ratio and impacted trees at a 2:1 ratio, which equates to approximately 160 tree seedlings, depending upon the actual amount of tree removal. Average tree planting density shall be no greater than 10 feet on center. The tree replacement plan shall also indicated the method for irrigation, mulching, caging and what amendments will be used until the plants are successfully established.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments.

18. These seedlings will be cared for (e.g. adequate watering, weeding, remedial work) until they are successfully established. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office and environmental monitor.

19. At **the time of final inspection of subdivision improvements**, the applicant shall submit a letter from the qualified botanist stating that all of the required replacement/ landscaping vegetation was planted and any other related specified measures are in place (e.g., irrigation, mulching, etc.).

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

20. **Prior to recordation of the final map**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than five years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the five year monitoring period shall be the responsibility of the applicant.

Monitoring: Compliance will be verified by the Planning and Building Department in

consultation with the Environmental Coordinators office.

21. **Prior to recordation of final map or approval of subdivision improvement plans, whichever occurs first**, a cost estimate for a planting plan, installation of new trees, and maintenance of new trees for a period of five years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to initiation of subdivision improvements or site grading**, a performance bond, equal to the cost estimate, shall be posted by the applicant.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

22. **At the time of application for subdivision improvement plans, grading permits, and construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be limited to within five feet of the proposed top and toe of proposed slopes as shown on the tract grading plan. All trees within the fenced areas shall be avoided. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

23. **Prior to final inspection of grading and/or construction permits**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the three year monitoring period shall be the responsibility of the applicant.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

24. **At the time of application for subdivision improvement plans, grading permits and construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. A monitor shall be retained to establish existing health of these trees and then monitor for three years to evaluate for problems associated with increased or decreased soil moisture content. The monitor will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time the monitor recommends planting, the new trees along with any suggested measures to improve the success of existing and new trees will be completed within 30 days. If planting of more than 15 trees is necessary, additional monitoring of these replacement trees will be required for three years. If less than 15, the monitoring of these trees would be added to existing monitoring duties for other oak replacement efforts ending at the same time required for that effort..

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

25. **Prior to final inspection of subdivision improvements or grading permits**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

26. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

27. To minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/tract improvements and for the life of the project:
    a. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
    b. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan as required by #10 above.
    c. Any CC&R's created shall include the above provisions to protect the native habitat.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

28. **Upon submittal of tract improvement plan,** all measures provided in the Mitigation Monitoring and Reporting Plan (Appendix E, Botanical Assessment, Althouse and Meade, 2003) shall be shown on applicable plans relating to restoration of sensitive plants impacted. Should any measures conflict with conditions of approval, conditions of approval shall be considered superior. These measures shall be completed **prior to recordation of final map**.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators Office.

29. Upon submittal of future individual lot construction permits for Lots 1 and 7, applicable plans shall show those sensitive plants as identified in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). A county-qualified botanist shall identify the impacts to those plants, as well as identify how these impacts will be mitigated to result in no net loss of the species. Protection measures shall be installed prior to any ground disturbance. Replacement measures shall be completed **prior to final inspection or occupancy, whichever comes first.**

30. **Prior to map recordation,** if it is shown that insufficient area is available for all restoration efforts of the sensitive vegetation impacted, the applicant shall submit for county-approval, an "Off-site Restoration Plan" (prepared by a county-qualified botanist) that shows a comparable off-site area can be restored with the sensitive plants needing planting off-site. Such a site must have the following components:

a. The off-site area is owned or controlled by a non-profit or governmental agency;
b. It is shown that the intent for the area will be to protect it in perpetuity with the primary goal to reestablish and maintain native habitat;
c. There is adequate area available for plant restoration (at maturity);
d. It is within close proximity of the subject property;
e. The area targeted is clearly shown to have all of the necessary requirements for successful reestablishment of the plant/habitat (that will be better than or equal to the area(s) being eliminated) without the need of any long-term artificial maintenance (other than occasional weeding and providing for temporary irrigation water);
f. If feasible or appropriate, the seed from the subject property shall be used for the target area, as determined appropriate by the botanist;
g. Submittal of a cost estimate by a qualified individual for: property acquisition, site evaluation reporting, all restoration work, and monitoring/ maintenance/ remedial work for at least 3 years;
h. Payment by the applicant for the work described in the cost estimate, and establishment of a bond for the cost estimate to be held by the county until targeted area is considered successfully restored by botanist;
i. If targeted area fails, bond shall be applied to establishing a second area, using the criteria outlined above.

Geology and Soils

31. **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

32. **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.
a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and

filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.

c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.

d. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

33. **Prior to initiation of tract improvements**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed **prior to work beginning.**

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

34. All disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

"CHAPARRAL" SEED MIX[1]

Species	lbs/ac
Adenostoma fasciculatum (chamise)	0.50
Artemisia californica (California sagebrush)	0.25
Ceanothus cuneatus (buckbrush)	1.00
Dendromecon rigida (bush poppy)	0.25
Eriogonum parvifolium (buckwheat)	0.20
Eriophyllum confertiflorum (golden yarrow)	0.20
Eschscholzia californica (California Poppy)	0.50
Heteromeles arbutifolia (toyon)	0.20
Lotus scoparius (deerweed)	1.20
Mimulus aurantiacus (bush monkeyflower)	0.25
Salvia mellifera (black sage)	0.50
Nasella (Stipa) pulchra (purple needlegrass)	1.50

"COAST LIVE OAK" SEED MIX[1]

Species	lbs/ac

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Eschscholzia californica (California Poppy)	0.50
Heteromeles arbutifolia (toyon)	0.50
Lotus scoparius (deerweed)	0.50
Mimulus aurantiacus (bush monkeyflower)	0.25
Rosa californica (California rose)	0.20
Rubus ursinus (California blackberry)	0.20
Salvia spathacea (pitcher sage)	1.00

"COASTAL DUNE SCRUB" SEED MIX[1]

Species	lbs/acre
Abronia umbellata (pink sand verbena)	0.25
Artemisia californica (California sagebrush)	0.25
Ceanothus cuneatus (buckbrush)	1.00
Corethrogyne filaginifolia (California aster)	0.25
Croton californicus	*0.20*
Eriogonum parvifolium (buckwheat)	*0.20*
Eriophyllum confertiflorum (golden yarrow)	*0.20*
Eschscholzia californica (California Poppy)	*0.50*
Horkelia cuneata	*0.20*
Lotus scoparius (deerweed)	*1.20*
Mimulus aurantiacus (bush monkeyflower)	*0.25*
Rhamnus californica (coffeeberry)	*0.20*
Salvia mellifera (black sage)	*0.50*
Nasella (Stipa) pulchra (purple needlegrass)	1.50

Noise

35. **Upon submittal of construction permits for Lots 2, 3, and 4**, plans showing project design and location within the proposed building envelopes shall clearly show that all outdoor activity areas will be no closer than 129 feet from the centerline of Highway 227.

Monitoring: Compliance will be verified by the Planning and Building Department.

Wastewater

36. **Prior to issuance of a building permit**, the applicant shall submit soil boring information at the proposed leach line location showing that adequate distance to bedrock exists or shall submit plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Monitoring: Compliance will be verified by the Environmental Health Department and Planning and Building Departments.

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Water

37. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
    a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
    b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, over-watering, excessive fertilization, soil compaction and accumulation of thatch;
    c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
    d. Slopes for turf areas shall be no more than 4%.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

38. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) turf areas shall not exceed 20% of the overall landscaping with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

39. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

Monitoring: Compliance will be verified by the Planning and Building Department.

40. **Prior to final inspection of construction permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

Monitoring: Compliance will be verified by the Planning and Building Department.

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Miscellaneous

41. **Prior to approval of tract improvement plans**, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure compliance with County Conditions of Approval and Mitigated Negative Declaration measures relating to tract improvements. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor and any county administrative fees, shall be paid for by the applicant.

The monitor will prepare a working monitoring plan that reflects the County-approved environmental mitigation measures/ conditions of approval. This plan will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

As individual development is proposed, it will be reviewed by the county for the need of an environmental monitor. If an environmental monitor is determined necessary by the county, the monitor shall use the above process as it relates to the specific lot proposed for development.

ADDITIONAL MAP SHEET

42. **Prior to recordation of the final map**, the applicant shall prepare an additional map sheet, to be approved by the Director of Planning and Building and recorded with the final map. The additional map sheet shall include the following:

Aesthetics

- **Prior to issuance of construction permits or approval of tract improvements, and prior to vegetation removal for Parcels 4-9,** the applicant shall show the 30-100 foot landscape easement (as shown on the tentative map) on all applicable construction plans, which is intended to 1) retain existing large shrubs and trees and 2) provide for additional landscaping, as needed, to provide for at least a 50% screening of structures as seen from Highway 227 and Royal Oak Way to be achieved within 5 years of landscape planting. Where any construction is proposed within 25 feet, this easement shall be fenced to prevent construction impacts or vegetation removal. All smaller trees within this easement shall be retained. No trimming of any tree shall be allowed unless it is clearly shown to the county that trimming will eliminate an eminent health hazard. Plant material shall be evergreen, fast-growing, drought-tolerant, and properly sized to be in scale with the proposed structure and surrounding native vegetation. The landscape plan shall be approved by the County.
- **Upon submittal of construction permits for each parcel**, plans shall show existing trees that are outside, but within 50 feet, of the building envelope that are also between the proposed structure and Highway 227. Grading, utility trenching, compaction of soil, or placement of fill shall be limited to within five feet of the proposed top and toe of proposed

slopes as shown on the tract grading plan. All trees within the fenced areas shall be avoided.Working with CDF, residences shall be located far enough away from these trees to avoid the need of trimming or removing any of these potential screening trees.

- **Prior to issuance of construction permits on all parcels**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).
- **Prior to issuance of construction permits on all parcels**, the applicant shall show the design of proposed residences with hipped roof forms or shaped to follow the sloped hill forms with rounded profiles. No projecting angles or long boxed ridgelines shall be allowed.
- **Prior to issuance of construction permits on all parcels**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and Highway 227.
- **Prior to issuance of construction permits for each parcel**, the applicant shall submit individual lot elevations along with a through the site cross section from the most visible points on Highway 227 and Royal Oak Way that clearly illustrates the relationship between the proposed development and the backdrop landforms (not including existing residences) to determine if silhouetting will occur with the proposed development. All efforts shall be made to avoid silhouetting (e.g., redesign, locate in less visible area, etc.). If any proposed structures could silhouette, the project shall complete a pre-construction visual study including, but not necessarily limited to, a pylon or stick simulation to represent the structure height at finished floor elevation to show that silhouetting will not occur. Should this study show that structures will be visible and could be more than one story and still not silhouette, the design of any two story structure shall be such to avoid any large massing or large vertical or horizontal uninterrupted surfaces. This study and proposed building plans shall be reviewed and approved by the County prior to permit issuance. In addition, the applicant shall provide to the county for approval how the design, materials, colors, location and landscaping of future residences will result in the building(s) receding into the existing natural environment, and screened from Highway 227 and Royal Oak Way views. If landscaping is required, a five year monitoring program shall be required to verify establishment of landscaping installed.
- **At the time of application for construction permits for each parcel**, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans, as shown on the attached exhibit. All new development (e.g. residences, detached garages, guest houses, sheds, septic tanks and leach lines shall be completely located within the building envelope(s) and/or within the building control line(s), with the exception of leach lines, which may be located outside the envelopes, outside of the open space easement

area (except on Parcels 2 and 3) and outside driplines of existing/replanted coast live oak trees or other sensitive vegetation, as identified in the botanical report.

- **At the time of application for construction permits for each parcel,** the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Highway 227 or Royal Oak Way shall exceed six feet in vertical height above or below the existing ground surface. For any visible cuts from key viewing areas previously identified, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.
- **At the time of application for construction permits for each parcel,** the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 227 and Royal Oak Way. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.
- **At the time of application for construction permits for each parcel,** the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Highway 227 and Royal Oak Way.
- Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 227 and Royal Oak Way. Landscaping that will either screen from in front or grow over from above the wall shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.**

Biological Resources

- **As a part of a second sheet of the tract map and included as a part of any individual construction permit application,** and included in any CC&Rs developed for the project, the following shall apply to the areas within the open space and those not specified as open space and outside of the specified building envelopes and access roads:

no oak trees, or other visually significant vegetation, shall be impacted or removed except for areas proposed for leach fields (removing and impacting trees for leach lines shall be to the least extent feasible), or proposed eucalyptus removal area; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. As shown on exhibit "A" (open space areas and building envelopes), all applicable plans shall show open space areas and building envelopes, where all trees outside of the building envelopes shall be protected during all construction activities. Plans shall show how these trees will be protected from any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge (e.g., install sturdy fencing, install retaining walls, etc.). This protection shall be installed prior to construction work beginning and remain in effect during the entire construction phase.

- **Prior to commencement of tree removal associated with subdivision improvements or new residential development**, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.
- **At the time of application for subdivision improvement plans, grading permits, and construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- **At the time of application for subdivision improvement plans, grading permits and construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these [oak] trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the

affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County- recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed. Additional monitoring of existing and/or replacement trees may also be required.

- **Prior to final inspection of subdivision improvements or grading permits**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis.
- The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.
- Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
- **Prior to final inspection of grading and/or construction permits**, to guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., certified arborist, landscape architect/ contractor, certified nurseryman), hired by the Environmental Coordinator's office, to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator. The cost for the three year monitoring period shall be the responsibility of the applicant.
- To minimize impacts to the sensitive oak woodland understory habitat (e.g. coastal chaparral, coastal scrub), the applicant agrees to the following during construction/ tract

improvements and for the life of the project:

a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
b. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation). Additional removal of non-native vegetation could be approved with a landscape plan as required above.
c. Any CC&R's created shall include the above provisions to protect the native habitat.

- Upon submittal of future individual lot construction permits for Lots 1 and 7, applicable plans shall show those sensitive plants as identified in the Botanical Assessment (Appendix C, Althouse and Meade, 2003). A county-qualified botanist shall identify the impacts to those plants, as well as identify how these impacts will be mitigated to result in no net loss of the species. Protection measures shall be installed prior to any ground disturbance. Replacement measures shall be completed **prior to final inspection or occupancy, whichever comes first.**

Geology and Soils

- **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.
- **Prior to recordation of the final map and issuance of construction permits on all parcels**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.
  a) Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
  b) Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.

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c) Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
d) Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

Noise

- **Upon submittal of construction permits for Lots 2, 3, and 4**, plans showing project design and location within the proposed building envelopes shall clearly show that all outdoor activity areas will be no closer than 129 feet from the centerline of Highway 227.

Wastewater

- **Prior to issuance of a building permit**, the applicant shall submit soil boring information at the proposed leach line location showing that adequate distance to bedrock exists or shall submit plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Water

- **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
  a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
  b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
  c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
  d. Slopes for turf areas shall be no more than 4%.
- **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 20 percent of the overall landscaping, with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.
- All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.
  Prior to final inspection of construction permits, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1)

install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s) Date 2-16-05

Erich Schaefer Manager, Member
Name (Print)

MB

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

SF

RECEIVED
JUL - 1 2004
COUNTY OF SAN LUIS OBISPO

RE

THIS IS A ~~NEW PROJECT~~ REFERRAL

2-135

DATE: 6/30/04

FROM: PUBLIC WORKS

FROM: Stephanie Fuhs
(Please direct response to the above)

TR.2542 / SO20346.
Project Name and Number

Development Review Section (Phone: 781-~~788-2009~~ 5721.) (_____)

PROJECT DESCRIPTION: 9-LOT TRACT - PREVIOUSLY 10 LOTS, REVISED DUE TO SEVERAL ENVIRONMENTAL CONCERNS PLEASE REVIEW & COMMENT.
-PREVIOUS RESPONSE ATTACHED. BIG ISSUE - SIGHT DISTANCE ADEQUATE?

Return this letter with your comments attached no later than: 7/30/04

PART I — IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II — ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
_____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III — **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

THANK YOU FOR THE REVISED MAP. SIGHT DIST. APPEARS TO BE ADEQUATE FROM THE INFO PROVIDED BUT SINCE THIS IS A STATE HWY, YOU REALLY SHOULD ASK CALTRANS. NO RETAINING WALLS IN PUBLIC ROAD R/W. 18% GRADES ARE TOO STEEP - THEY SHOULD AIM FOR 9% and MAY BE GO TO 12% FOR A 100 ft or So. STORM DRAIN INLET IN INTERSECTION IS NOT GOOD PRACTICE, IN CURB LINE WOULD BE OK. WHY ALL THE OPEN SPACE — THIS DOES NOT APPEAR TO BE A CLUSTER PROJECT?

Date 13 AUG 2004 Name GOODWIN Phone 5252

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL 2.136

DATE: 5/9/03

FROM Public Works

~~**FROM:**~~ South County Team
(Please direct response to the above)

AG Edwards Trust/S020346T TR 2542
Project Name and Number

Development Review Section (Phone: 781-5183) ( )

PROJECT DESCRIPTION: Tract Map

Return this letter with your comments attached no later than: 5/23/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

WHO IS AG Edwards (NAME ABOVE), APPLICATION SEZ CARMEN GREEN AND TITLE REPORT STATES NEIL C. WILLHOIT ? REFERRAL to Cal Trans ? Page 8 of Appl. form ?

RECOMMEND Approval - Stocks Attached.

02 JUNE 2003 — Date
GOODWIN — Name
5252 — Phone

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

2-137

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A ~~NEW PROJECT~~ RE- REFERRAL

RECEIVED
JUL 06 2004
CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPT.

DATE: 6/30/04

TO: CITY OF A.G.

FROM: Stephanie Fuhs
(Please direct response to the above)

TR.2542 / SO203460.
Project Name and Number

Development Review Section (Phone: 781-~~768-2009~~ 5721.)

PROJECT DESCRIPTION: 9-LOT TRACT - PREVIOUSLY 10 LOTS, REVISED DUE TO SEVERAL ENVIRONMENTAL CONCERNS PLEASE REVIEW & COMMENT.

Return this letter with your comments attached no later than: 7/30/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)
___ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)
___ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Nine lots appear to comply with Residential Suburban (RS) standards and Arroyo Grande Fringe LUE criteria. City requests that fire and traffic impact fees of City be paid to offset the impacts of cumulative development.

July 6, 2004
Date

Rob Strong, Comm. Dvlp Director
Name City of Arroyo Grande

473-5420
Phone

Fax to

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

Coun of San Luis Obispo • P lic Health Department

Environmental Health Services
2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

2-138

September 25, 2003

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, CA 93401

ATTN: DAVE MENA
RE: TENTATIVE TRACT MAP 2542 (GREEN)

Water Supply

This office is in receipt of onsite water information for the above noted project. Said information is considered satisfactory **preliminary** evidence of water. Prior to filing of a final map, evidence of adequate potable water for each parcel shall be submitted to the Health Agency. This will require a complete chemical analysis, a pump test and a well drillers report.

Wastewater Disposal

Individual wastewater disposal systems, designed and installed to meet local and state requirements, should adequately serve the parcels. A deep soil boring and three percolation tests will be required on each vacant lot prior to map recordation.

TRACT 2542 is approved for map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

C: Kami Griffin, County Planning
Carmen Green, Owner

13

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

ARROYO GRANDE: 715 2-139

THIS IS A NEW PROJECT REFERRAL

RECEIVED MAY 12 2003 PLANNING & BUILDING

DATE: ~~5/9/03~~ 5/19/03

FROM: ~~TO:~~ Gen Svcs - Parks Div.

TO: ~~FROM:~~ South County Team
(Please direct response to the above)

AG Edwards Trust 7-SO2-0346 T
Project Name and Number PR 2542

Development Review Section (Phone: 781- 5183) ( )

PROJECT DESCRIPTION: Tract Map

Return this letter with your comments attached no later than: 5/23/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Applicant to pay Quimby and applicable Building Division fees.

5/19/03 Date

Alex McDonald Name

-4388 Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

2-140

DATE: May 16, 2003

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise MAG
San Luis Obispo County Air Pollution Control District

SUBJECT: AG Edwards Trust (S020346T/TR 2542)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 757 Carpenter Canyon Road in Arroyo Grande. The applicant proposes to subdivide a 27.4-acre parcel into 10 parcels ranging in size from 2.3 acres to 3.2 acres each. The property is zoned Residential Suburban and is located outside the Urban Reserve Line. We have the following comments on the proposal.

This project, like many others, falls below our emissions significance thresholds and is therefore unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Suburban category can be subdivided to a minimum lot size of one acre. We also recognize that there are significant human interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

If you have any questions or comments, feel free to contact me at 781-5912.

MAG/sll

H:\ois\plan\response\2703.doc

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
info@slocleanair.org ❖ www.slocleanair.org

2-141

CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

SF

7/16/2004

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Green/S020346

Dear Stephanie Fuhs,

I have reviewed the referral for the parcel map plans for the proposed nine parcel subdivision project located at 757 Carpenter Canyon Rd., Arroyo Grande. This project is located approximately 12-15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fire
It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Fire Extinguishing System

- The proposed project is required to install a residential fire/life safetysprinkler system in all residences.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.
- Our Department can provide additional information if requested.

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

2.-142

- Parcels less than 1 acres 800 feet
- Parcels 1 acre to 4.99 acres 1320 feet
- Parcels 5 acres to 19.99 acres 2640 feet
- Parcels 20 acres or larger 5280 feet

- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

2-143

cc: Ms. Carmen Green

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
TELEPHONE (805) 549-3111
TDD (805) 549-3259
http://www.dot.ca.gov/dist05

2-144

Flex your power!
Be energy efficient!

August 5, 2004

SLO-227 PM 1.84
Green Tract Map

New Project Re- Referral

Ms. Stephanie Fuhs
San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA. 93408

Dear Ms. Fuhs;

Thank you for sending the Green Tract Map, New Project Re-Referral to the California Department of Transportation (Department), for our review. District 5, Development Review offers the following comments regarding the project scope.

It appears that after reviewing this project's physical orientation to State Route 227, there is a potential issue with sight distance associated with traffic turning in and out of the project's access to Route 227. The Department requires of the applicant that they utilize a licensed Traffic Engineer to perform a corner/sight distance analysis in order to substantiate if this project enjoys a requisite traffic sight distance at Route 227 and the project driveway.

As this project is currently scoped, the applicant will need to file for an Encroachment Permit from District 5, to legally construct the project's ingress/egress onto Route 227. Please contact Mr. Steve Senet, Senior Encroachment Permit Engineer (549-3206) for more information regarding the permit process. Please also be advised that all work done in the State's Right of Way will be done to the Department's engineering and environmental standards, at no cost to the State.

If this project does not address the potential sight distance issue at this time (pre-approval phase), they will need to do so during the encroachment permit phase. Given the costs associated with constructing the internal system of roads for a subdivision, it is advisable to discover early on if this projects internal circulation may in fact be able to connect to Route 227 where the Green Tract Map depicts.

2-145

Also, please set as a condition of occupancy the requirement that the project applicant substantiate that the above mentioned improvements (connection to Route 227) were completed to Department standards (through a letter of acknowledgement from the Department Permits Office). The wording of this condition should further stipulate that the Department's verification letter will be submitted to the Lead Agency prior to and a precondition of, the issuance of the Certificate of Occupancy.

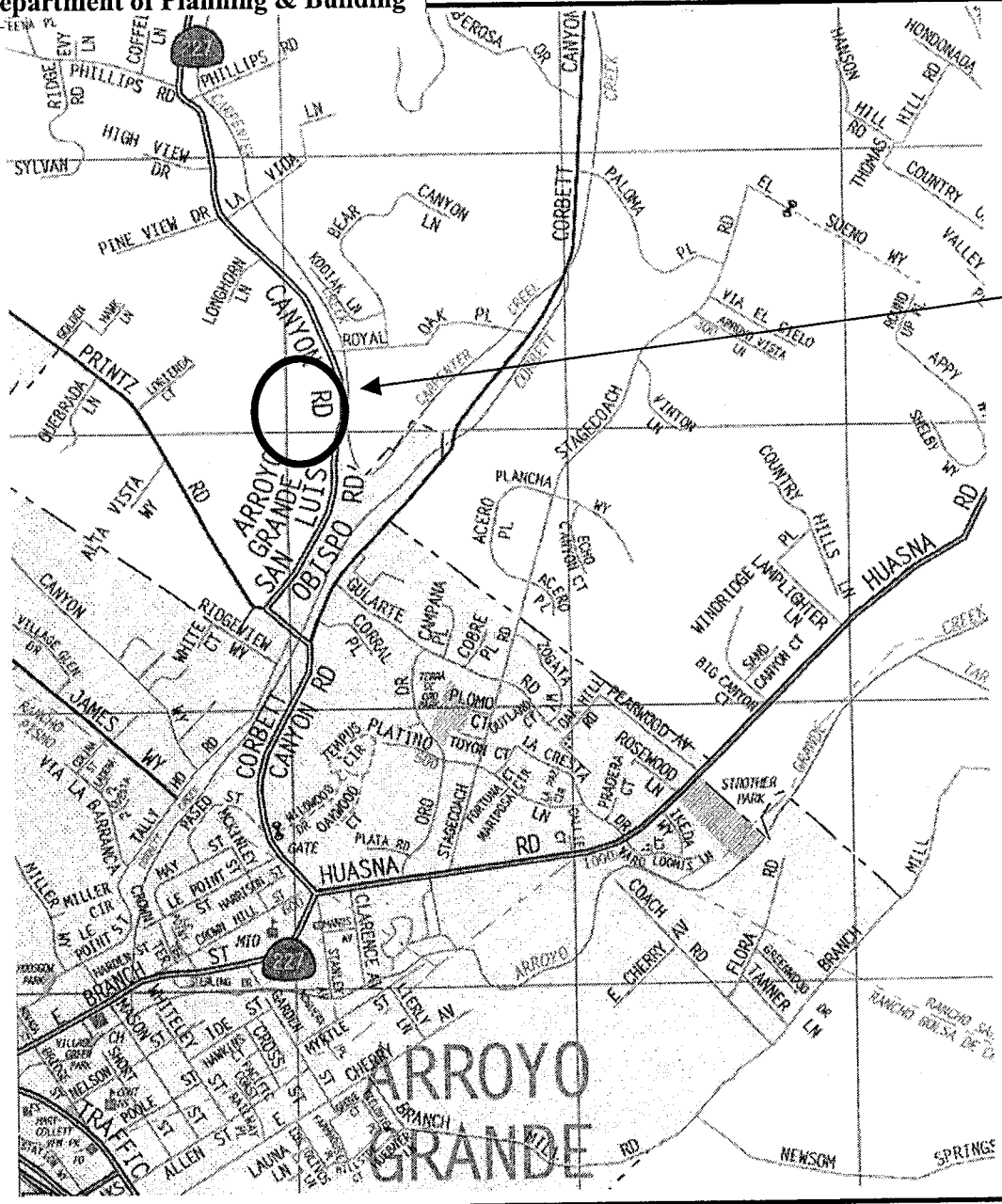
Again, thank you for the opportunity for the Department to comment on the Green Tract Map, New Project Re-referral. If you have any questions please call me at 549-3683.

Sincerely;

James Kilmer
District 5
Development Review

cc: File, D. Murray, R. Barnes, S. Senet

San Luis Obispo Department of Planning & Building



2-176

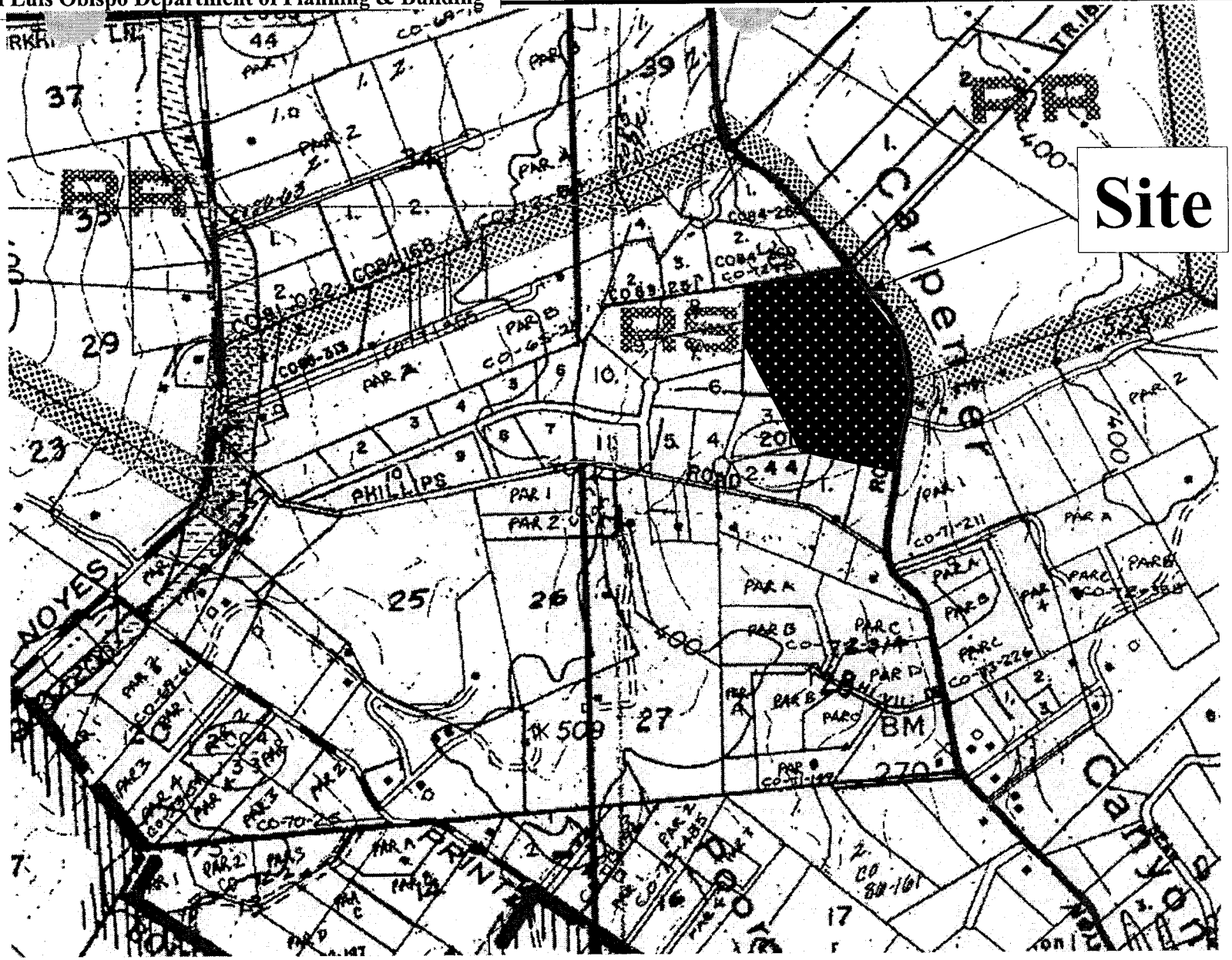
Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

VICINITY MAP

San Luis Obispo Department of Planning & Building



2-147

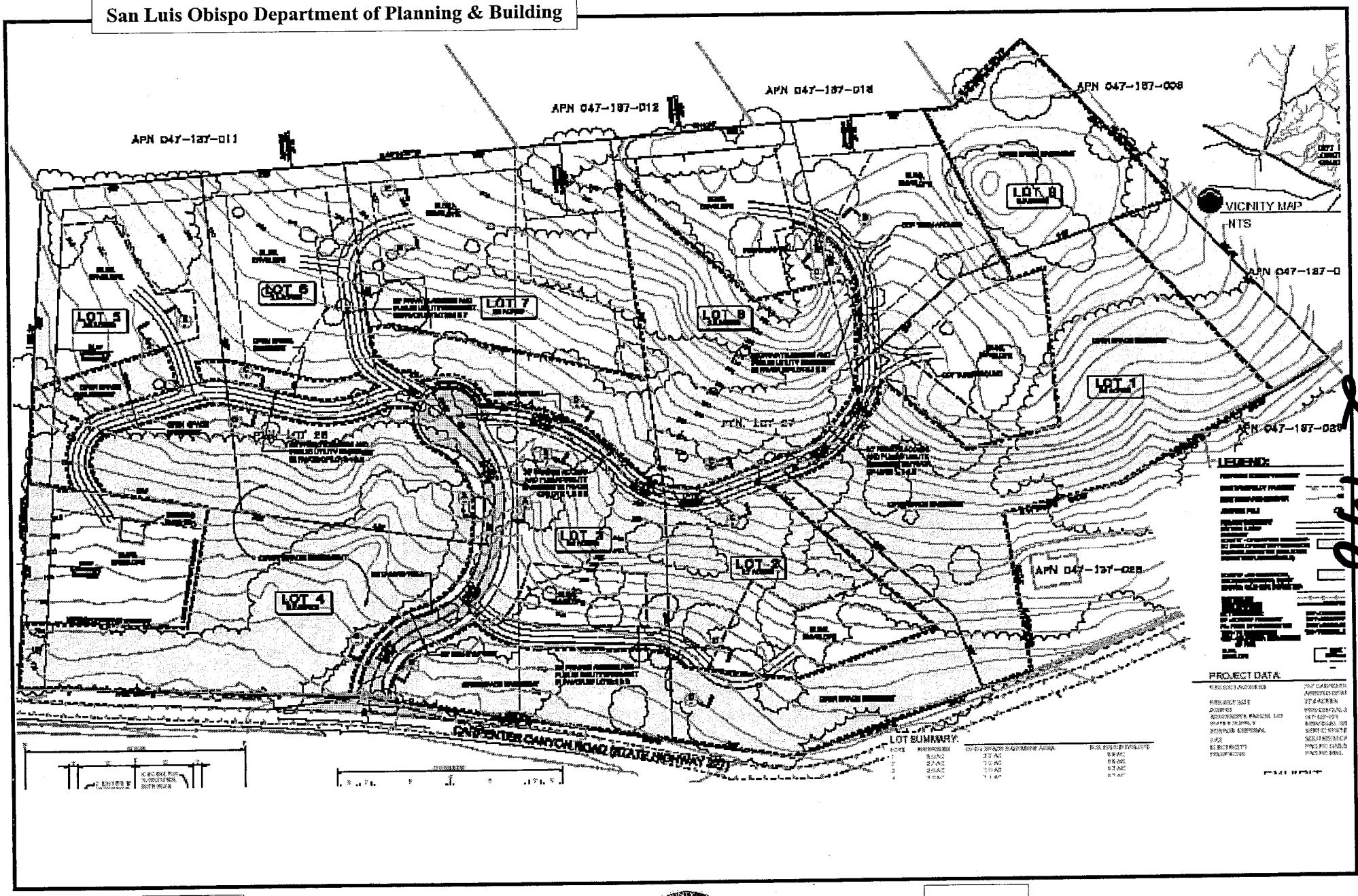
Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Land Use Category Map

San Luis Obispo Department of Planning & Building



2-148

Project

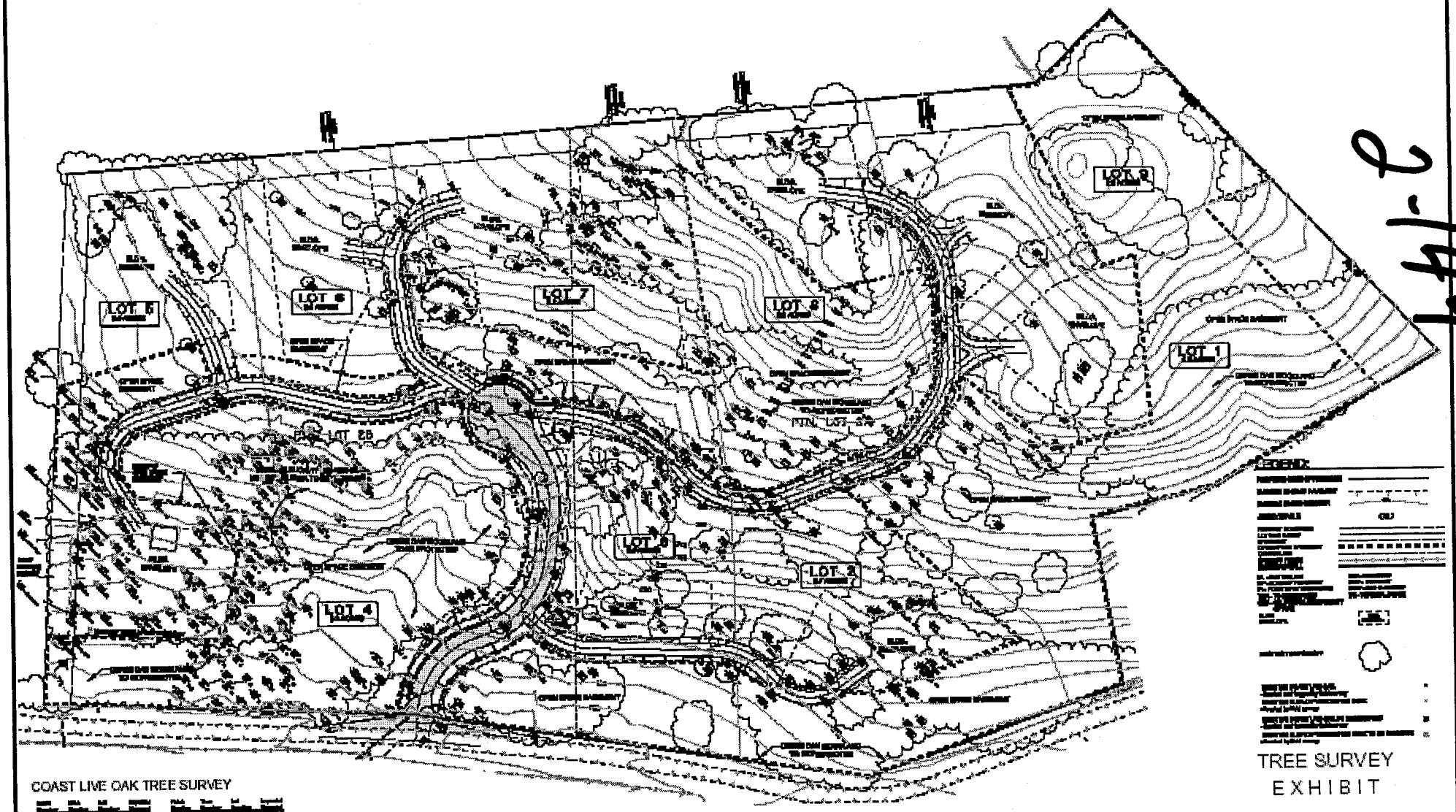
Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Proposed Tentative Tract Map with Open Space Area and Building Envelopes

San Luis Obispo Department of Planning & Building

2-144



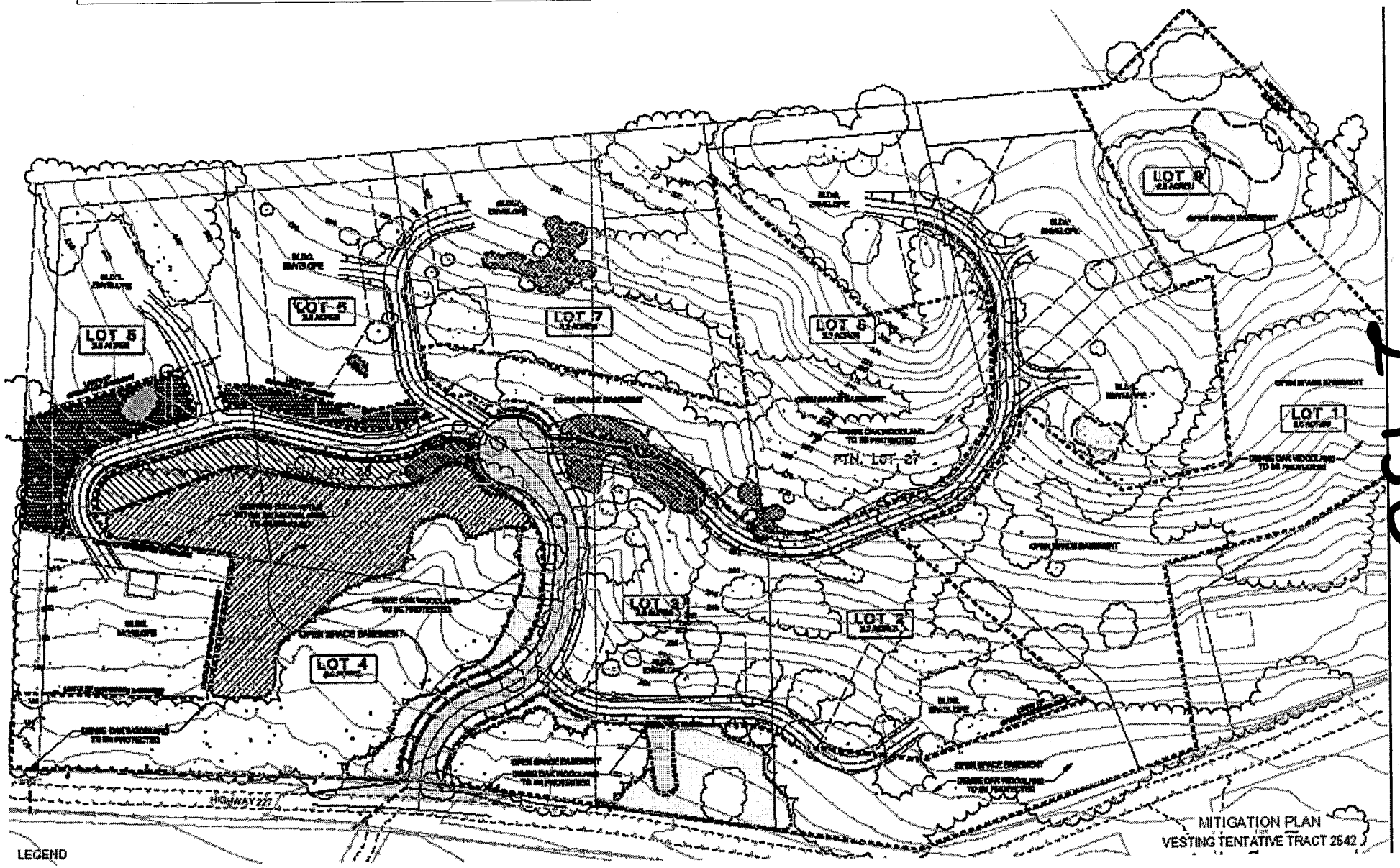
Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Tree Survey

San Luis Obispo Department of Planning & Building



2-150

Project

Carpenter Canyon Estates, LLC
Tract Map TR2542 (S020346T)

Exhibit

Mitigation Monitoring Plan

2-157

ASSOCIATED TRANSPORTATION ENGINEERS
100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Maynard Keith Franklin, P.E.
Richard L. Pool, P.E.
Scott A. Schell, AICP

RECEIVED
SEP 29 2004
EDA

September 25, 2004

04110L01

FILE COPY

Ms. Carmen Greene
B.F.D. Properties
171 North 13th Street, Suite A
Grover Beach, California 93433

Re: TT # 2542 - Carpenter Canyon Estates - Sight Distance Evaluation

On September 22, 2004 Associated Transportation Engineers (ATE) staff visited the project site on Carpenter Canyon Road (Route 227). I met with Glenn Rider, EDA at the proposed driveway location. Route 227 in this area is a two lane roadway 24 feet wide with little or no paved shoulder area. There are curves in the roadway on each side of the project. These curves limit the approach speed and the sight distance. The posted speed on this section of the roadway is 45 mph.

The corner sight distance from the approximate driveway location to the south is approximately 630 feet and to the north is approximately 600 feet. These distances are sufficient for an approach speed of approximately 55 mph based upon Table 405.1A, Caltrans Design Manual.

Figure 1 is a picture looking south from the approximate driveway location. Figure 2 is a picture looking north from a point approximately 400 feet north of the driveway location. Figure 3 is a picture showing the lathe marking the approximate driveway location. Telephone pole #469 is located approximately 10 feet north of the proposed driveway location.

Conclusion

A driveway can be located that will provide a corner sight distance of approximately 600 feet which is sufficient for 55 mph for Tentative Tract 2542, Carpenter Canyon Estates.

Associated Transportation Engineers

By: Richard L. Pool, P.E.
President

REGISTERED PROFESSIONAL ENGINEER
RICHARD L. POOL
No. 18,030
Expires 6/30/05
CIVIL
STATE OF CALIFORNIA

RLP/wp

Attachments - Figures 1 - 3
Copy: Glenn Rider EDA

2-16

Figure 2
Looking north from a point approximately 400' north of driveway location.

Figure 3
Lathe marks the approximate driveway location.
Telephone pole #469 approximately 10' north of the driveway location.

2-154

Figure 1
Looking south from the approximate driveway location.

2-155

Botanical Assessment

for

Tract 2542

APN 047-137-021

a 27-acre property in

Carpenter Canyon

San Luis Obispo County

Prepared for:

BFD Properties
c/o Mike Butcher and Carmen Green
166 N. 9th Street
Grover Beach, CA 93433

by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES
1875 Wellsona Road
Paso Robles, CA 93446

(805) 467-1041

June 2003
(Revised 11 August 2004)

2.156

Table of Contents

2.157

Executive Summary

- This document presents the results of a botanical assessment of 27 acres located in Carpenter Canyon, Arroyo Grande, San Luis Obispo County.
- A subdivision of nine lots is proposed for the property that will create a neighborhood of nine single-family residences.
- Four habitat types are present on the property: Coast live oak woodland, eucalyptus woodland, chaparral and coastal scrub, and California annual grassland.
  - ➢ No habitats listed by the California Department of Fish and Game as sensitive natural communities are found on the property.
- Twenty-six special status plants are known from the project area, including five endangered and two threatened species. Appropriate habitat exists on the property for a total of six rare plants.
  - ➢ Three rare plants on CNPS List 1B were identified on the property: Well's manzanita (*Arctostaphylos wellsii)*, Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis)*, and straight-awned spineflower (*Chorizanthe rectispina)*.
- Oak trees will be impacted during construction activities. Oaks that may be impacted or removed were surveyed by EDA and evaluated by Althouse and Meade, Inc. biologists for size, health, and habitat value.
  - ➢ A Mitigation Monitoring and Reporting Plan (MMRP) was prepared by Althouse and Meade, Inc. to mitigate for impacts to coast live oak trees and three rare plant species.
- The steep slopes on the property are subject to erosion if vegetation is removed. Best management practices should be employed to reduce soil movement, including temporary and permanent erosion control techniques.

2-158

1.0 Introduction

1.1 Purpose and project location

This document presents the results of a botanical survey conducted during the spring of 2003 in Carpenter Canyon, San Luis Obispo County, California (Figure 1). The report has been revised to reflect current habitat condition and to respond to the proposed project. This 27-acre property is proposed for subdivision into nine individual lots. Our botanical assessment identifies and locates natural communities on the site, discusses rare and special status species that may occur on the property or be affected by the proposed development, and provides a list of plant species that occur on the property. Species-specific mitigation recommendations are given with respect to the proposed development plan.

The eastern boundary of the property is along Carpenter Canyon Road, beginning approximately 0.2 miles north of the intersection with Printz Road. This location is just north of the corporate boundary of the City of Arroyo Grande. Access to the property is from Carpenter Canyon Road, across a barbed wire fence. No street address marks the property, and parking is on the street.

Our botanical survey includes all areas within the property boundaries, not just individual lots or building envelopes. The parcel map (Figure 2) and the proposed project map were provided by John Shoals, EDA, project planner in 2003. Stacie Gleim is the project planner for EDA currently assigned to this project. Since July 2003 roadways have been re-aligned and building envelopes have been adjusted to provide greater protection of biological resources. Approximately 14 acres are planned as an open space easement (Appendix E). A Mitigation Monitoring and Reporting Plan was prepared in June 2004 to address impacts to native oak trees and rare plants.

2-159

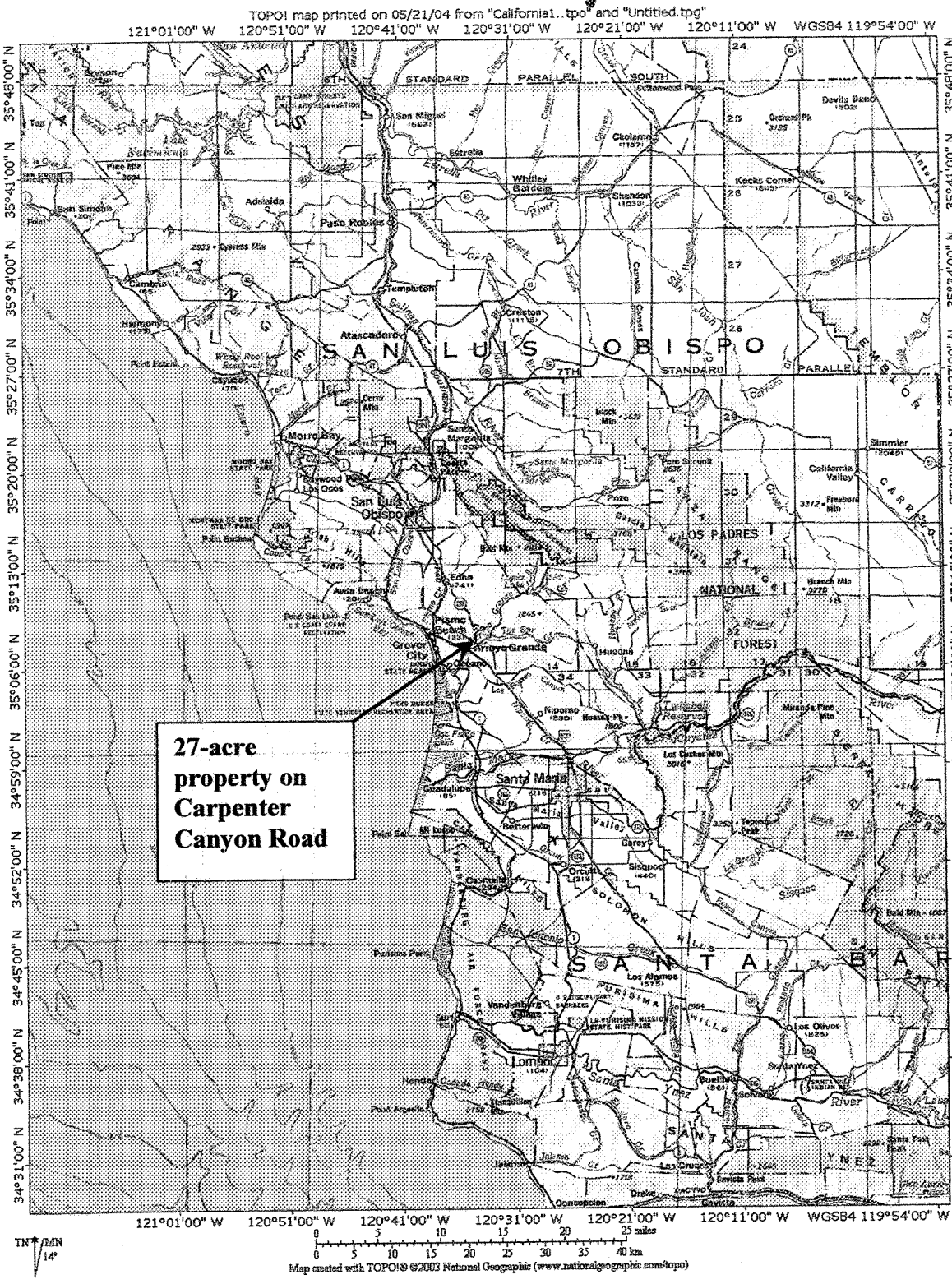


FIGURE 1. The property is located along Carpenter Canyon Road (State Hwy 227) northeast of Arroyo Grande, California.

2-160

1.2 Proposed project

A subdivision of nine lots is proposed for the property that will create a neighborhood of nine single-family residences. Currently, the property is composed of two undeveloped lots (Figure 2). Appendix C shows the current development design and open space easement in relation to sensitive biological resources, to be reviewed by the County of San Luis Obispo in June 2004. The project will include a primary cul-de-sac and driveways that serve two or three lots each. Lot size will vary from 2.5 to 4.2 acres.

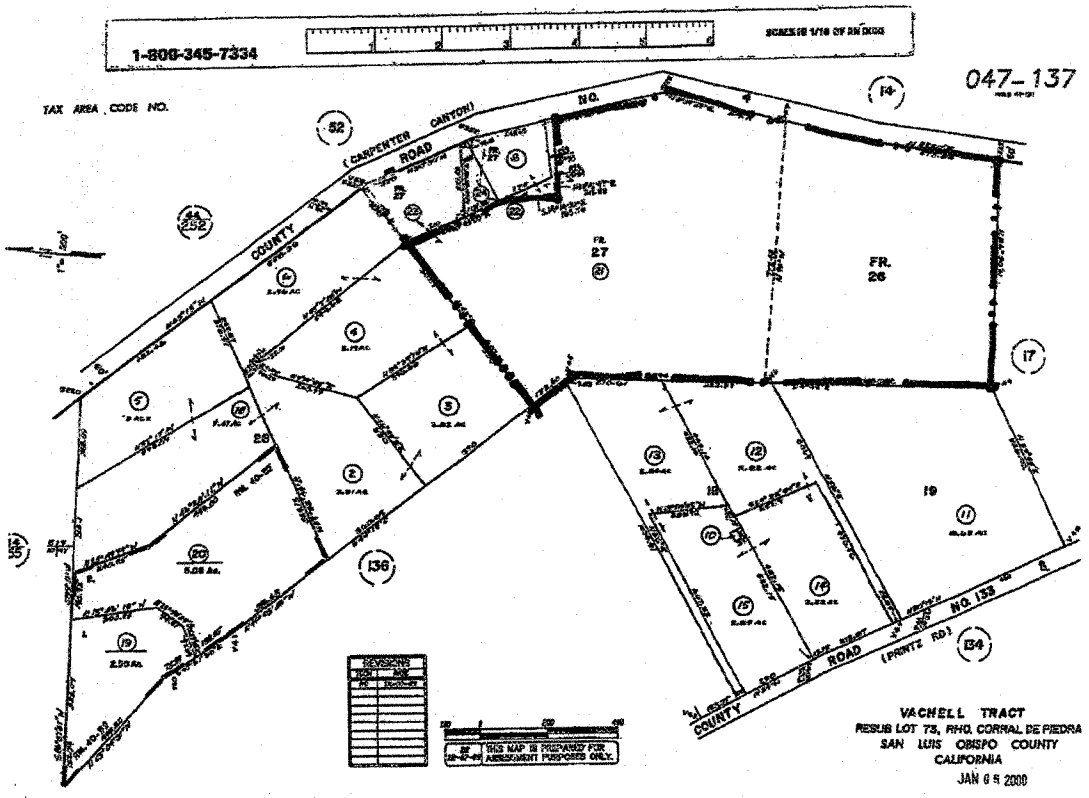


FIGURE 2. Tract 2542 is located on Carpenter Canyon road, APN 047-137-021, a part of the Vachell tract (subject property area is shown above with bold outline as upper right parcel).

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2.0 Methods

The 27-acre property was surveyed for botanical resources on July 31, 2002, and on April 14, May 8, and May 13, 2003 by LynneDee Althouse, Jason Dart, and Cletis England. Thirty-one person hours were required on the site, with additional investigative time for identification of plants in the lab. The area investigated included the entire parcel, not just proposed building locations. The survey was floristic in nature, with all plants observed on the property identified to species and documented. The entire property was searched on foot, using transects when appropriate to ensure coverage. Identification of botanical resources included field observations and laboratory analysis of collected material. Rare species were compared to herbarium specimens at the Robert F. Hoover Herbarium, Cal Poly State University. An initial site inspection was conducted in 2002 for Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*). The 2003 survey also searched for Pismo clarkia, but expanded the survey scope to include a full floristic account of the property. The timing of the 2003 survey was concurrent with the blooming of Pismo clarkia in other locations, as confirmed by our observations. Althouse and Meade, Inc. biologists have visited the site numerous times to assist with oak tree inventory and botanical resource distribution questions during the plan revision phase (Spring 2004).

We conducted a search of the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for species that could occur on or near the project site. The search area included the Arroyo Grande NE and Oceano quadrangles (7.5 minute USGS).

3.0 Results

3.1 Existing conditions

The 27-acre property is situated on a southeast facing slope in Carpenter Canyon. The site is adjacent to and overlooks Carpenter Canyon Road (State Hwy 227). Most of the soils on the property are Los Osos Loam, on fifteen to thirty percent slopes. The remaining areas are associated with the larger Arnold Loamy Sand complex to the west, on five to fifteen percent slopes. These deep sandy loams support coast live oak woodlands and coastal scrub communities. The non-native Blue gum eucalyptus tree (*Eucalyptus globulus*) grows well here and is established in a small grove on the southwest end of the property. Another invasive non-native plant that is well established on the property is veldt grass *(Ehrharta calycina)*.

A small drainage carries storm run-off from the property to Carpenter Canyon Road. The drainage swale is studded with coast live oak trees and has disturbed understory vegetation dominated by poison oak (Photo 6). No willows or riparian vegetation are in the drainage. There is no evidence that the drainage is jurisdictional under the U.S. Army Corps of Engineers or the California Department of Fish and Game definitions.

One existing structure, an abandoned barn, is located within the eucalyptus grove on the southwest end of the property. Abandoned cars, animal cages, and other debris are nearby.

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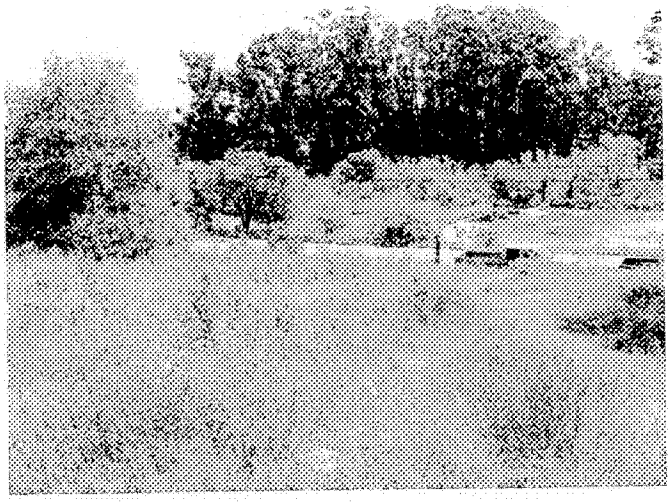

Photo 1. View southeast from the property toward Carpenter Canyon Road

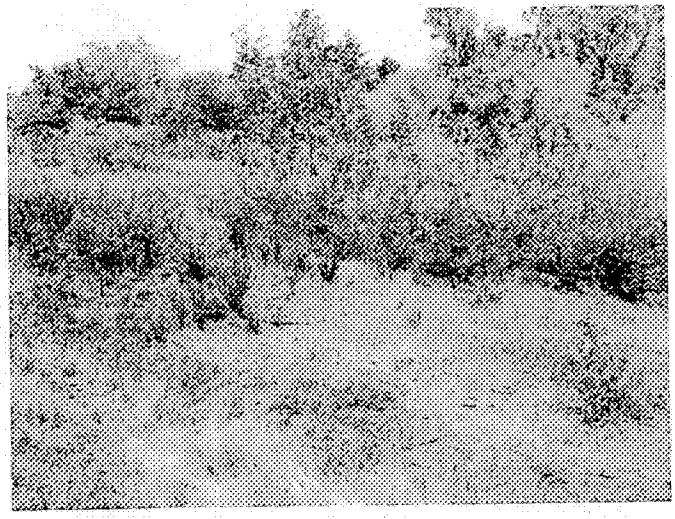

Photo 2. Veldt grass and deerweed (*Lotus scoparius*) are the dominant species in the disturbed open areas.

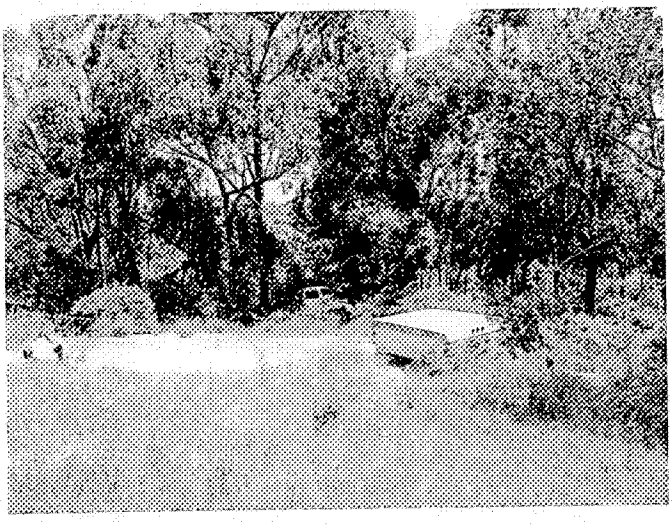

Photo 3. Metal and landscape debris are scattered around the edges of the eucalyptus grove.

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3.2 Habitat types

Four habitat types occur within the 27 acre parcel on Carpenter Canyon Road: California annual grassland, chaparral and coastal scrub, oak woodland, and eucalyptus woodland.

3.2.1 California Annual Grassland

Photo 4. Annual grasslands are dominated by non-native species.

The annual grassland habitat on the property is small and patchy. Dominated by invasive species, annual grasslands are limited to openings between oak trees and patches of coastal scrub habitat. Veldt grass (*Ehrharta calycina*) is the dominant grass species. Non-native bromes and oats (*Bromus hordeaceus, Bromus madritensis,* and *Avena barbata*) are the other dominant grasses. Pismo Clarkia (*Clarkia speciosa* ssp. *immaculata*) is a federally listed endangered species with known localities in the vicinity of the property. Compared to other known locations of this Clarkia in Arroyo Grande, the grassland areas on this property appear to be potential Pismo Clarkia habitat. We carefully searched for Pismo Clarkia in the spring of 2002 and 2003, and it was not found on-site. Four spot, *Clarkia purpurea* ssp. *quadrivulnera,* occurs in the grassland habitat and is the only species of this genus identified on the property. Obispo Indian paintbrush *(Castilleja densiflora* ssp. *obispoensis)* and straight-awned spineflower (*Chorizanthe rectispina*) are sensitive species that were identified on the property in grassland habitat.

3.2.2 Wetland

A wetland was observed in 2003 above a roadway burm. Apparently, subsurface water moves down slope where it meets with sandstone bedrock, at which point the water returns to the surface as a seep. Brown-headed rush (*Juncus phaeocephalus*), a FACW (facultative wetland) species was observed, but is not the dominant vegetative cover. Water pooled on the road below the seep in 2003 (Photo 4). Toad rush (*Juncus bufonius*), a FACW+ species, is the dominant species near the standing water. Pacific chorus frog (*Pseudacris regilla*) tadpoles were in the pool. Modifications to the road

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bank in the summer of 2003 eliminated the standing water (Photo 5). A vegetation survey of the wetland area in May 2004 determined that the percent cover of wetland vegetation is 25% or less. This area does not qualify as a jurisdictional wetland under U.S. Army Corps of Engineers definition.

Photo 4. Roadway wetland, spring 2003. The wetland formed behind a burm in the road.

Photo 5. Roadway wetland, spring 2004.

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3.2.3 *Oak Woodland*

Coast live oak (*Quercus agrifolia*) woodland occurs across the property. Trees are of mixed ages ranging from saplings to 40 inches dbh (diameter at breast height) with the average being 10 inches dbh. Very large individual oaks that would be considered specimen trees are not found on the property. Constituent oak woodland plant species are present and intergrade with coastal scrub and grassland species. These include holly-leaf redberry (*Rhamnus crocea),* coffeeberry (*Rhamnus californica),* hummingbird sage (*Salvia spathacea),* black sage (*Salvia mellifera),* poison oak (*Toxicodendron diversilobum),* and others.

Photo 6. This mature oak woodland is in proposed Lot 4 open space.

3.2.4 *Chaparral and Coastal Scrub Communities*

Southern coastal scrub habitat occurs on the property, with areas dominated by black sage (*Salvia mellifera)* and coastal sagebrush (*Artemisia californica).* Other areas of harder chaparral are dominated by Well's manzanita (*Arctostaphylos wellsii)* and chamise (*Adenostoma fasciculatum).* Bush monkeyflower (*Mimulus aurantiacus*), mock heather (*Ericameria ericoides*), deer weed (*Lotus scoparius*), and tree lupine (*Lupinus arboreus*) are also present. The coastal scrub habitat occurs mostly on the lower slopes, while the harder chaparral habitat is prevalent on the upper slopes on the western side of the property. Scattered coast live oaks are intermixed with the chaparral and coastal scrub communities.

Photo 7. Chaparral often occurs in patches among the coast live oaks.

Photo 8. Chamise chaparral with coast live oaks. Veldt grass is in the foreground.

3.2.5 *Eucalyptus Woodland*

Blue-gum eucalyptus (*Eucalyptus globulus*) forms a nearly pure stand at the west end of the property. A few oak trees and manzanita shrubs occur in the margins. Very little understory vegetation is present, as is typical of eucalyptus woodlands.

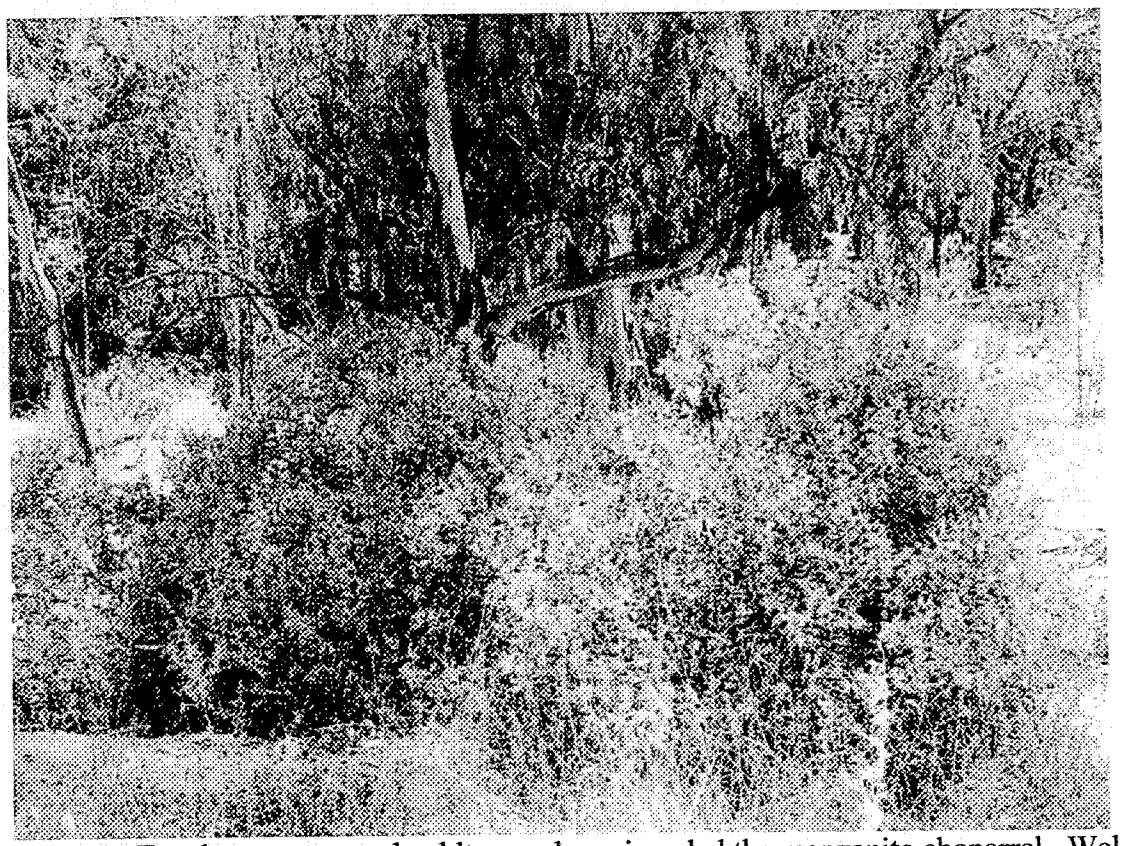

Photo 9. Eucalyptus trees and veldt grass have invaded the manzanita chaparral. Well's manzanita is growing as the eucalyptus understory in this photograph.

3.3 Rare species

3.3.1 *Introduction to CNPS List 1B*

Plant species are considered rare when their distribution is confined to localized areas, when there is a threat to their habitat, when they are declining in abundance, or are threatened in a portion of their range. The inclusion of a plant species in the CNPS listing is in some cases subjective, and disagreements do exist (CNPS 1988). The listing categories range from species with a low threat (List 4) to species that are presumed extinct (List 1A). The 857 plants of List 1B are rare throughout their range. All but a few are endemic to California. All of them are judged to be vulnerable under present circumstances or to have a high potential for becoming so because of their limited or vulnerable habitat, their low numbers of individuals per population (even though they may be wide ranging), or their limited number of populations. Most of the plants of List 1B have declined significantly over the last three centuries in California. For an explanation of the CNPS listing scheme, see Appendix B.

All of the plants constituting List 1B meet the definitions of Sec. 1901, Chapter 10 (NPPA) or Secs. 2062 and 2067 (CESA) of the California Department of Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.

3.3.2 Potential rare species list

A search of the California Natural Diversity Data Base (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants within the Arroyo Grande NE and Oceano quadrangles found 24 special status plant species that are known from the area, including five endangered species and two threatened species. Three special status natural communities are also listed for this search area (Table 1). Two additional special status plant species, Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis)* and straight-awned spineflower (*Chorizanthe rectispina),* were not listed in the CNDDB or the CNPS for this area but were identified on the property. These two species are marked with an asterisk (*). Appropriate habitat was identified on the property for a total of six special status plant species. Three of these special status species were identified on the property. The potential for the proposed project to affect these species is discussed below (Section 3.3.3).

TABLE 1. Results of the CNDDB and CNPS search for areas within the Arroyo Grande NE and Oceano quadrangles. The potential for occurrence of each species on the subject property is stated in the column, "Potential habitat".

	Common name	**Scientific name**	**Federal/State status Global/State Rank CNPS rank**	**Habitat preference**	**Potential habitat?**
	Plants				
1.	Hoover's bentgrass	*Agrostis hooveri*	None/none G3/S2.2 2-2-3 List 1B	Sandy soil in oak woodland	Yes (not found on site)
2.	Santa Lucia manzanita	*Arctostaphylos luciana*	None/none G2/S2.2 2-2-3 List 1B	Shale outcrops, slopes, chaparral, 500-700m	No
3.	Sand mesa manzanita	*Arctostaphylos rudis*	None/none G2/S2.2 2-2-3 List 1B	Sandy soils, chaparral. <100m. s CCo (Nipomo, Burton Mesa, Pt. Sal, sw SLO, nw SB Counties	Yes (not found on site)
4.	Well's manzanita	*Arctostaphylos wellsii*	None/none G2/S2.1? 2-3-3 List 1B	Sandstone outcrops, chaparral. <400m. s CCo (hills se of San Luis Obispo)	Yes (Identified on site)
5.	Marsh sandwort	*Arenaria paludicola*	Endangered G1/S1.1 3-3-2 List 1B	Boggy meadows, marshes. <300m. s CCo (Nipomo Mesa, SLO County, Santa Ana River, SCo)	No

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	Common name	Scientific name	Federal/State status Global/State Rank CNPS rank	Habitat preference	Potential habitat?
6.	San Luis mariposa lily	*Calochortus obispoensis*	None/none G2/S2.1 2-2-3 List 1B	Dry serpentine gen in chaparral. 100-500m. Endemic to SLO County	No
7.	Obispo Indian paintbrush*	*Castilleja densiflora* ssp. *obispoensis*	None/none G5T2/S2.2 2-2-3 List 1B	Coastal grassland, <100m. Endemic to SLO County.	Yes (Identified on site)
8.	Brewer's spineflower	*Chorizanthe breweri*	None/none G2/S2.2 3-1-3 List 1B	Chaparral, foothill woodland on serpentine; <800m. Endemic to SLO	No
9.	Straight-awned spineflower*	*Chorizanthe rectispina*	None/none G1/S1.2 3-1-3 List 1B	Chaparral, dry woodland; 200-600m.	Yes (Identified on site)
10.	La graciosa thistle	*Cirsium loncholepis*	Endangered G2/S2.2 3-3-3 List 1B	Wetlands in dunes; <50m. s CCo. (s. SLO, n. SB Counties)	No
11.	Surf thistle	*Cirsium rothophilum*	None/ Threatened G2/S2.2 2-2-3 List 1B	Dunes, bluffs; <20m. s CCo. (s. SLO, n. SB Counties)	No
12.	Pismo Clarkia	*Clarkia speciosa* ssp. *immaculata*	Endangered G4T1/S1.1 3-3-3 List 1B	Sandy hills near coast; <100m. s CCo (+/- Pismo to Edna, SLO County)	Yes (not found on site)
13.	Branching beach aster	*Corethrogyne leucophylla*	None/none G3Q/S3.2 1-2-3 List 3	Coastal scrub, oak woodlands, grasslands; <2600 m. s SN, SnJV, CW, SW, n Baja, CA	No
14.	Leafy tarplant	*Deinandra increscens* ssp. *foliosa*	None/none G4G5T2/S2.2 2-2-3 List 1B	Valley and foothill grassland; 300-500m.	No
15.	Dune larkspur	*Delphinium parryi* ssp. *blochmaniae*	G4T2/S2.2 3-2-3 List 1B	Coastal chaparral, sand; 0-200m. s CCo	No
16.	Beach spectaclepod	*Dithyrea maritima*	None/ Threatened G2/S2.1 3-3-2 List 1B	Sandy soils, dunes; <50m. s CCo, SCo, Baja CA.	No
17.	San Luis Obispo dudleya	*Dudleya abramsii* ssp. *murina*	None/none G3T2/S2.3 2-1-3 List 1B	Serpentine outcrops; 120-300 m. Endemic to SLO County	No
18.	Blochman's leafy daisy	*Erigeron blochmaniae*	None/none G2/S2.2 2-2-3 List 1B	Sand dunes and hills; <30m. s CCo	No
19.	Mesa horkelia	*Horkelia cuneata* ssp. *puberula*	None/none G4T2/S2.1 2-3-3 List 1B	Sand mesas in Burton Mesa chaparral and back dune habitats	No
20.	Kellogg's horkelia	*Horkelia cuneata* ssp. *sericea*	None/none G4T1/S1.1 3-3-3 List 1B	Old dunes, coastal sandhills; <200m. CCo	No

	Common name	Scientific name	Federal/State status Global/State Rank CNPS rank	Habitat preference	Potential habitat?
21.	San Luis Obispo County lupine	*Lupinus ludovicianus*	None/none G2/S2.2 3-2-3 List 1B	Open, grassy limestone in oak woodland; 50-500m. Endemic to SLO County	No
22.	Nipomo Mesa lupine	*Lupinus nipomensis*	Endangered G1/S1.1 3-3-3 List 1B	Stabilized sand dunes; <25m. s CCo (Nipomo dunes, sw SLO County)	No
23.	Crisp monardella	*Monardella crispa*	None/none G2/S2.2 2-2-3 List 1B	Unstable sand dunes; <100m. s CCo (SLO, SB Counties)	No
24.	San Luis Obispo monardella	*Monardella frutescens*	None/none G2/S2.2 2-2-3 List 1B	Stabilized dunes, sandy scrub; <200m. s CCo (SLO, SB Counties)	No
25.	Gambel's water cress	*Rorippa gambelii*	Endangered G1/S1.1 3-3-2 List 1B	Marshes, streambanks, lake margins; <1250 m. s CCo, SCo, to Mexico.	No
26.	Black-flowered figwort	*Scrophularia atrata*	None/none G2/S2.2 2-2-3 List 1B	Calcareous (sometines diatomaceous) soils; <500m. s SCoRO	No
	Natural Communities				
27.	Central dune scrub		CDFG: Sensitive		No
28.	Central foredunes		CDFG: Sensitive		No
29.	Coastal and valley freshwater marsh		CDFG: Sensitive		No

CSC = California special concern species.
Habitat characteristics from the Jepson manual and the CDNNB.
*species not listed in the CNDDB or CNPS for the search area, but possible for the location.

3.3.3 Special status species that could occur on or near the project

Hoover's bentgrass (*Agrostis hooveri*) is a CNPS list 1B species with no state or federal listing status. It occurs in dry sandy soils in open chaparral and oak woodlands below 600 meters in the coastal zone and south coastal outside range of San Luis Obispo and Santa Barbara Counties. The CNDDB contains no reports for this species. The project site is within the range of this species. LynneDee Althouse has observed this species in Squire Canyon, approximately 7.5 miles northwest of the subject property. We searched the property for Hoover's bentgrass and did not find it.

Sand mesa manzanita *(Arctostaphylos rudis)* is a CNPS list 1B species that occurs in sandy coastal areas from southwest San Luis Obispo County to northwest Santa Barbara County. It is a common component of the Burton Mesa Chaparral in Lompoc, and is also known from the Nipomo Mesa. Appropriate habitat appears to exist on the property,

however the location of this property may be out of the known range of the species. Sand mesa manzanita was not found on the property.

Well's manzanita *(Arctostaphylos wellsii)* is one of numerous manzanita species that is endemic to San Luis Obispo County. It is considered rare due to its local range and specific soil requirements, with a CNPS listing of 1B. It is found in sandy soils and sandstone outcrops on stabilized sand dunes, in chaparral or open oak woodland. The absence of a burl on this species separates it from the similar *Arctostaphylos tomentosa.* Well's manzanita occurs in a band of shrubs across the property. Collections of this species were deposited at the Robert F. Hoover Herbarium at California Polytechnic State University (Specimen #62682).

Obispo Indian paintbrush *(Castilleja densiflora* ssp. *obispoensis)* is a CNPS list 1B subspecies known only from San Luis Obispo County. It seems to be under-reported in the CNDDB and under-collected in the Robert F. Hoover Herbarium at Cal Poly State University. We have observed it this year on numerous sites from Harmony to Arroyo Grande. Approximately 150-200 plants occur on the subject property. Individual plants are scattered in grassy openings in the oak woodland, generally in the deeper soils of the lower slopes. Collections of this species were deposited at the Robert F. Hoover Herbarium (Specimen #62665).

Straight-awned spineflower *(Chorizanthe rectispina)* is a CNPS list 1B species known only from Monterey and San Luis Obispo Counties, and from Vandenberg AFB in Santa Barbara County (collected by Althouse in 1995). The east Arroyo Grande area is represented by one collection of *Chorizanthe rectispina* in the Robert F. Hoover Herbarium at Cal Poly State University as well as one occurrence listed in the CNDDB, on sandy soils in chaparral or dry oak woodland. *Chorizanthe rectispina* is present on the subject property in two patches totaling about 4000 plants (coordinates are N35° 8' 17.9" W120° 34 15.0 and N35° 8' 20.3" W120° 34' 14.9"). Althouse and Meade, Inc. botanists have documented two other locations of this species in Arroyo Grande in 2003. Rincon Consultants identified this plant on the Biddle Ranch and Tract 1998 in the Arroyo Grande area (EIRs in 2002 and 2003). Dr. David J. Keil, plant taxonomist, identified straight-awned spineflower on Hondonada Road in the Arroyo Grande area (personal communication, 2003). Collections of this species were deposited at the Robert F. Hoover Herbarium (Specimen #62662, 62663).

Pismo clarkia *(Clarkia speciosa* ssp. *immaculata)* is a federally listed endangered subspecies endemic to southern coastal areas of San Luis Obispo County. It is found in grassland habitats on thin, sandy soils, generally in association with coast live oaks (*Quercus agrifolia*). Appropriate habitat for Pismo Clarkia is found on the property, however no plants were found during our timely surveys.

3.3.4 Special status species not expected to occur on or near the project

The remaining 18 sensitive species listed in the CNDDB and by the CNPS for the Arroyo Grande NE and Oceano quadrangles are not expected to occur on the property due to lack of appropriate habitat, or the property is outside their known range.

3.3.5 Sensitive natural communities

Central dune scrub

Dune scrub occurs on stable dune soils inland of the pioneer dune community. Better soil, lower salt content, and higher water retention capability produce a habitat with a greater diversity of species than in pioneer dunes, including many small shrubs. Dominant species include *Artemisia californica, Ericameria ericoides, Eriogonum parvifolium, Lupinus arboreus,* and others. This community type is not found on the subject property.

Central foredunes

Pioneer dune communities such as the central foredunes occur on unstable sand of beaches and active dunes close to the ocean. Low species diversity is associated with this area of harsh environmental conditions. Constituent species include *Abronia latifolia, Abronia maritima, Malacothrix incana, Carpobrotus edulis, Calystegia soldanella, Ambrosia chamissonis,* and others. This community type is not found on the subject property.

Coastal and valley freshwater marsh

Marshes are "permanently or seasonally inundated communities dominated mostly by sedges, rushes, cattails and other semi-aquatic herbs." (California Vegetation, by Holland and Keil, 1995) This community type is not found on the subject property.

3.4 Plant list

TABLE 2. Ninety-eight species of plants were identified on the subject property in Carpenter Canyon. Three sensitive plant species were found within the property boundaries, each on CNPS List 1B. No state or federally listed species were found on the property.

Scientific Name	**Common Name**	**N=Native/ I=Introduced**	**Status**
Trees			
Eucalyptus globulus	Blue-gum eucalyptus	I	None
Pinus radiata	Monterey Pine	Planted	None
Quercus agrifolia var. *agrifolia*	Coast Live Oak	N	None
Shrubs			
Adenostoma fasciculatum	Chamise	N	None
Arctostaphylos wellsii	Well's manzanita	N	**List 1B**
Artemisia californica	Coastal sagebrush	N	None
Baccharis pilularis	Coyote brush	N	None
Cercocarpus betuloides	Mountain mahogony	N	None
Ericameria ericoides	Mock heather	N	None
Heteromeles arbutifolia	Toyon	N	None
Lotus scoparius	Deerweed	N	None

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Scientific Name	Common Name	N=Native/ I=Introduced	Status
Lupinus arboreus	Bush lupine	N	None
Mimulus aurantiacus	Bush monkeyflower	N	None
Rhamnus californicus	Coffeeberry	N	None
Rhamnus crocea	Redberry	N	None
Salvia mellifera	Black sage	N	None
Solanum douglasii	Nightshade	N	None
Toxicodendron diversilobum	Poison oak	N	None
Herbs			
Ambrosia psilostachya	Western ragweed	N	None
Anagallis arvensis	Scarlet pimpernel	I	None
Bloomeria crocea	Golden stars	N	None
Calystegia macrostegia ssp. *macrostegia*	Morning glory	N	None
Camissonia contorta	Sun cup	N	None
Camissonia micrantha	Sun cup	N	None
Carduus pycnocephalus	Italian thistle	I	None
Carpobrotus edulis	Fig marigold	I	None
Castilleja densiflora ssp. *obispoensis*	Obispo Indian paintbrush	N	**List 1B**
Castilleja exserta ssp. *latifolia*	Purple owl's clover	N	None
Centaurium davyi	Centaury	N	None
Chlorogalum pomeridianum var. *pomeridianum*	Amole lily	N	None
Chorizanthe rectispina	Straight-awned spineflower	N	**List 1B**
Clarkia purpurea ssp. *quadrivulnera*	Four spot clarkia	N	None
Claytonia perfoliata	Miner's lettuce	N	None
Crassula connata	Pygmy weed	N	None
Croton californicus	California croton	N	None
Cyperus eragrostis	Nutsedge	N	None
Dichelostemma capitatum	Blue dicks	N	None
Dryopteris arguta	Wood fern	N	None
Eleocharis macrostachya	Spikerush	N	None
Eriophyllum confertiflorum	Golden yarrow	N	None
Erodium botrys	Fillaree	I	None
Filago gallica	Herba impia	I	None
Galium angustifolium	Narrow-leaved bedstraw	N	None
Galium aparine	Goose grass	N	None
Galium porrigens	Climbing bedstraw	N	None
Gnaphalium californicum	Everlasting	N	None
Gnaphalium palustre	Everlasting	N	None
Heterotheca grandiflora	Telegraph weed	I	None
Horkelia cuneata ssp. *cuneata*	Horkelia	N	None
Hypochaeris glabra	Smooth cat's ear	I	None
Juncus bufonius	Toadrush	N	None

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Scientific Name	**Common Name**	**N=Native/ I=Introduced**	**Status**
Juncus falcatus var. *falcatus*	Rush	N	None
Juncus phaeocephalus	Brown-headed rush	N	None
Lathyrus vestitus	Wild pea	N	None
Lessingia filaginifolia	California aster	N	None
Linaria canadensis	Blue toadflax	N	None
Lotus purshianus var. *purshianus*	Lotus	N	None
Lotus strigosus	Lotus	N	None
Lupinus bicolor	Miniature lupine	N	None
Lupinus nanus	Sky blue lupine	N	None
Lupinus truncatus	Lupine	N	None
Lythrum hyssopifolium	Lythrum	I	None
Madia sp.[not in flower]	Tarweed	N	None
Malva niccaeensis	Bull mallow	I	None
Marah fabaceus	California man-root	N	None
Medicago polymorpha	California burclover	I	None
Melilotus officinalis	Yellow sweetclover	I	None
Navarretia atractyloides	Navarretia	N	None
Navarretia hamata ssp. *leptantha*	Navarretia	N	None
Pellea andromedifolia	Coffee fern	N	None
Pentagramma triangularis	Gold-back fern	N	None
Plantago erecta	Plantain	N	None
Plantago lanceolata	English plantain	I	None
Polypodium californicum	California polypody	N	None
Rumex acetosella	Sheep sorrel	I	None
Salvia spathacea	Hummingbird sage	N	None
Sanicula crassicaulis	Sanicle	N	None
Silene gallica	Catchfly	I	None
Sonchus asper	Prickly sow thistle	I	None
Spergularia rubra	Sand spurrey	I	None
Trifolium ciliolatum	Trifolium	N	None
Vicia villosa ssp. *villosa*	Winter vetch	I	None
Yabea microcarpa	Yabea	N	None
Yucca sp.	Yucca	Planted	None
Grasses			
Aira caryophyllea	Silver European hairgrass	I	None
Avena barbata	Slender wild oat	I	None
Bromus arizonicus	Brome	I	None
Bromus diandrus	Ripgut brome	I	None
Bromus hordeaceus	Soft chess brome	I	None
Bromus madritensis ssp. *rubens*	Red top brome	I	None
Cynodon dactylon	Bermuda grass	I	None
Ehrharta calycina	Veldt grass	I	None
Gastridium ventricosum	Nit grass	I	None
Lamarckia aurea	Goldentop	I	None

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Scientific Name	**Common Name**	**N=Native/ I=Introduced**	**Status**
Lolium multiflorum	Italian ryegrass	I	None
Nasella pulchra	Purple needlegrass	N	None
Vulpia myuros	Rattail fescue	I	None
Vulpia octoflora	Fescue	N	None

4.0 Potential Impacts and Mitigation Recommendations

4.1 Rare species impacts.

Approximately 4000 straight-awned spineflowers, 150 to 200 Obispo Indian paintbrush, and hundreds of Well's manzanitas may be impacted by development on the subject property. The sensitive species cover approximately 0.65 acre of the subject property.

A Mitigation Monitoring and Reporting Plan was prepared by LynneDee Althouse in June 2004. This plan details the mitigation requirements for Tract 2542.

4.1.1 Straight-awned spineflower *(Chorizanthe rectispina).*

Straight-awned spineflower is known from few occurrences and is considered threatened in the natural diversity database (NDDB). It has no state or federal status. The California Native Plant Society (CNPS) does not consider this plant to be endangered.

Chorizanthe rectispina	NDDB: G1/S1.2 R-E-D Code: 3-1-3 CNPS: List 1B	Typical habitat: chaparral and dry woodland; 200-600m.

Mitigation recommendations:

a. Minimize and/or avoid impacts to straight -awned spineflower habitat where practicable.

b. If over 10% of the population will be permanently impacted, replace areas impacted with straight-awned spineflower habitat at a 2:1 ratio of aerial extent. Straight -awned spineflower requires disturbed openings among chaparral species where the soil is thin and relatively well drained. The plant does well in disturbed openings where it does not have to compete with weedy annual grasses or veldt grass.

4.1.2 Well's manzanita *(Arctostaphylos wellsii).*

Well's manzanita has a limited distribution and is listed as possibly very threatened in the NDDB (the ? after the S2.1 indicates a level of uncertainty in the listing). It is considered endangered throughout its range by the CNPS.

Arctostaphylos wellsii	NDDB: G2/S2.1? R-E-D Code: 2-3-3 CNPS: List 1B	Typical habitat: Sandstone outcrops, chaparral. <400m. s CCo (hills se of San Luis Obispo)

Mitigation recommendations:

a. Well's manzanita may be included in revegetation plans for open space or landscape plantings that are over 50 feet from a home site. Manzanitas should not be planted close to home sites or buildings due to fire danger.

b. Avoid impacts to Well's manzanita where practicable. (Roadways have been redesigned by EDA planners to avoid the core of the population).

c. Replace impacted areas with Well's manzanita habitat. This manzanita may be propagated from cuttings (Propagation is slow and difficult). Well's manzanita is currently being propagated by Jason Dart, botanist with Althouse and Meade, Inc. and Environmental Seed Producers (ESP). It takes one year to develop cuttings ready for transplant to restoration areas.

4.1.3 Obispo Indian paintbrush *(Castilleja densiflora ssp. obispoensis)*

Obispo Indian paintbrush is a subspecies of the common owl's cover. The species is listed as demonstrably secure to ineradicable in the NDDB. This subspecies, however, is considered threatened in the NDDB and endangered in a portion of its range by the CNPS. Obispo Indian paintbrush is an annual plant that may be propagated from seed, or included in a grassland seed mix. The best time to collect seeds is from May to July.

Castilleja densiflora ssp. *obispoensis*	NDDB: G5T2/S2.2 R-E-D Code: 2-2-3 CNPS: List 1B	Typical habitat: Coastal grassland, <100m. Endemic to SLO County.

Mitigation recommendations:

a. Impacts to Obispo Indian paintbrush will be reduced due to the redesign of the entrance road. The main roadway will now enter the property through a non-native eucalyptus woodland. Paintbrush habitat will be left in an open space easement.

b. If over 10% of the population will be permanently impacted, replace Obispo Indian paintbrush areas impacted with similar grassland habitat at a 1:1 ratio of aerial extent.

4.2 Oak tree impacts

Oak trees will be removed or impacted during development of the project site.

Mitigation recommendations:

a. An oak tree protection plan shall be approved by the County. Our recommended plan template is provided as Appendix A.

b. Impacts to the oak canopy or root zone should be avoided where practicable.
c. Impacted oaks shall be replaced in kind at a 2:1 ratio.
d. Oaks removed shall be replaced in kind at a 4:1 ratio.
e. Tree canopies and trunks within 25 feet of proposed disturbance zones should be mapped and numbered. Data for each tree should include diameter at breast height (4.5 ft) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests.

4.3 Soil erosion

When vegetation is removed, the loam and sandy loam soils are easily eroded.

Mitigation recommendations:

a. Designate building envelopes within each lot, and minimize soil disturbance area on each lot during construction.
b. Design permanent stormwater flow paths to reduce flow velocities, spread the water out, and allow water to infiltrate.
c. During construction, provide immediate cover on all exposed soil. Temporary and permanent erosion control practices must be developed prior to construction.
d. During construction, dry soil should be protected from wind erosion in the drought season by spraying disturbed areas with water.
e. All disturbance zones should be protected from excessive soil movement during the rainy season. Best management practices should be employed to reduce soil erosion from the site. Erosion control fences should be installed below construction zones, and straw bales and/or coir rolls should be properly bedded in the drainage paths from the site to reduce water velocity and inhibit soil movement.
f. Permanent erosion control on native soil should include native plants in open spaces areas. Seed mixes for exposed soils should include fast-growing annuals and deep-rooted perennials.
g. Develop a long term weed abatement plan that will reduce weeds and manage for native species in open spaces areas.

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5.0 References

Althouse and Meade, Inc. 2002. Letter Report to Mike Butcher regarding results of Pismo Clarkia survey. August.

Althouse and Meade, Inc. 2003. Botanical Assessment for Tract 2542, APN 047-137-021, Carpenter Canyon Road. June.

Althouse and Meade, Inc. 2004. Mitigation Monitoring and Report Plan for Tract 2542, Carpenter Canyon, San Luis Obispo County. May 17, 2004.

CNDDB. 2004. The California Natural Diversity Data Base. May 2, 2004 data. Database accessed on May 26, 2004.

CNPS. 1988. California Native Plant Society, Inventory of Rare and Endangered Vascular Plants of California. Special Publication No. 1, Fourth Edition. Sacramento, CA. Page xiv.

EDA. 2004. Vesting tentative map for Tract 2542, sheet 1 of 3. Prepared for Carmen Green, Grover Beach [KI:\22780100\TM\2780100TM-01.dwg; modified 4/30/04 by stacieg]

EDA. 2004. Mitigation plan for Tract 2542, sheet 1 of 1. Prepared for Carmen Green, Grover Beach.

Hickman, James C. 1993. The Jepson Manual. University of California Press, Berkeley and Los Angeles, California.

Holland, V.L. and David J. Keil. 1995. California Vegetation. Kendall/Hunt Publishing Company, Dubuque, Iowa.

Hoover, Robert F. 1970. The Vascular Plants of San Luis Obispo County, California. University of California Press. Berkeley, Los Angeles, and London.

Rincon Consultants, Inc. 2003. Final Subsequent Environmental Impact Report, State Clearinghouse No. 2001081065, Vesting Tentative Tract Map and P.U.D. 01-001 Project. Submitted to City of Arroyo Grande. [Case number VTTM 01-001]

Rincon Consultants, Inc. 2003. Final Environmental Impact Report, State Clearinghouse No. 2001021060, Biddle Ranch Agricultural Cluster Subdivision Project. Submitted to County of San Luis Obispo. [Case number VTTM 2408]

Sawyer, John O. and Todd Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento, CA

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APPENDIX A – Oak Tree Protection Plan

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OAK TREE PROTECTION PLAN

Pre-Construction Tree Protection and Removal

The project manager, construction manager, and equipment operators will be briefed by an environmental monitor. Monitor will describe oak tree protection and removal practices during a morning safety or planning meeting prior to the start of construction.

All trees within 25 feet of the construction zone will be identified, marked and numbered with metal tags. Information about each tree will be collected, including the following: date, species, number of stems, diameter at breast height (dbh) of each stem, canopy size, health, habitat notes, and nests observed. Before construction begins, markings will distinguish trees that are to be removed, impacted, or fully protected. Tree removal will be planned to minimize impacts to neighboring trees. Tree impacts include any activity under or within six (6) feet of the tree canopy or 1.5 times the diameter of the tree canopy, whichever is greater. Fully protected trees will have no impact within six feet of the outside edge or 1.5 times the diameter of the tree canopy. The site will be checked for compliance by the environmental monitor.

Trees to Remove

- Mark each of the oaks to be removed with a blue "X" at approximately 4.5 feet above ground.
- Number each of the oaks to be removed with blue paint.
- Trees to be removed will be verified by project manager and environmental monitor.
- Trees will be removed with minimal impact to nearby trees.

Trees to Impact

- Mark each of the trees that may be impacted (within 25 feet of disturbance) with an orange dot near the base of the tree. Impacts are any disturbance within six (6) feet of the tree canopy including pruning, grading, parking, driving under or near, trenching, storing material, or adding fill.
- Tag each of the trees with two permanent numbered metal tags on two sides of the tree placed approximately 4.5 feet above ground.
- Install orange barrier fencing between the construction zone and the tree to indicate limits of disturbance planned for each tree (See diagram on A - 4).

Trees to Fully Protect

- Trees to be protected from any impacts will be indicated by construction fencing placed at least 1.5 times the canopy diameter or six (6) feet beyond

the canopy dripline facing the disturbance area (whichever distance is greater).

The environmental monitor will document pre-construction tree-protection activities.

Construction Tree Protection

- Orange construction fencing will be maintained weekly when heavy equipment is operated within 50 feet of the trees that may be impacted.
- If any fully protected oak trees are impacted, the trees will be tagged with two aluminum write-on or permanent metal tags on two sides of the tree placed approximately 4.5 feet above ground, and the type of impact noted.
- Branch and root pruning should leave clean cuts. Branch pruning should be at an angle to shed rain water. Torn roots should be properly trimmed.
- Any impacts to trees that involve cut roots over one inch and branches over three inches in diameter should be treated by a certified arborist qualified to apply fungicides and pesticides to damaged tissue.
- No vehicles, fill soil, rocks, or construction materials should be placed within six (6) feet of the dripline of all oak trees.
- Trenching under the tree canopy should be avoided. Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand.
- No permanent irrigation shall occur within the dripline of any existing oak tree.
- The environmental monitor shall be present during construction activities that impact oak tree root zones. Tree canopies shall be inspected for nesting birds within two weeks prior to pruning.

The environmental monitor will document tree removal and construction impacts on each tree. Impacted trees will be replaced at a ratio of 2:1. Removed trees will be replaced at a ratio of 4:1.

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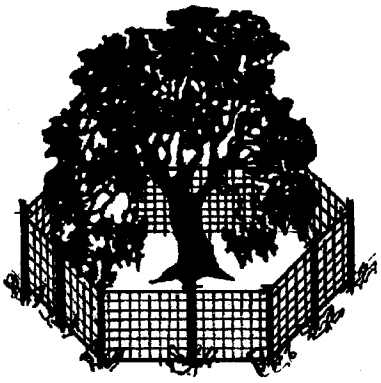
TREE PROTECTION FENCING
For Trees That May Otherwise Be Impacted



Set T-posts 6 to 8 feet apart, and as far away from tree trunk as practical during construction.

Use barrier fencing or chain-link fencing

Provide buffer between fence and construction zone of 5 feet, or more, if possible

Construction/Disturbance Zone

Orange barrier fencing should be used to protect oak trees near construction and disturbance zones.

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APPENDIX B – Status Codes

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Status Codes

Element Ranking

NDDB Codes

Each plant is given a number based on its taxonomy and accession into the natural diversity database (NDDB).

Global Ranking

G1 = less than 6 viable element occurrences (EO's), OR less than 1,000 individuals, OR less than 2,000 acres

G2 = 6-20 EO's OR 1,000-3,000 individuals OR 2,000-10,000 acres

G3 = 21-100 EO's OR 3,000-10,000 individuals OR 10,000-50,000 acres

G4 = apparently secure; this rank is clearly lower than G3 but factors exist to cause some concern; i.e., there is some threat, or somewhat narrow habitat

G5= Population or stand demonstrably secure to ineradicable due to being commonly found in the world.

State Ranking

(Same as Global ranking, plus threat designation attached to the S-rank

S1 = less than 6 viable element occurrences (EO's), OR less than 1,000 individuals, OR less than 2,000 acres

- S1.1 = very threatened
- S1.2 = threatened
- S1.3 = no current threats known

S2 = 6-20 EO's OR 1,000-3,000 individuals OR 2,000-10,000 acres

- S2.1 = very threatened
- S2.2 = threatened
- S2.3 = no current threats known

S3 = 21-100 EO's OR 3,000-10,000 individuals OR 10,000-50,000 acres

- S3.1 = very threatened
- S3.2 = threatened
- S3.3 = no current threats known

S4 = apparently secure within California; this rank is clearly lower than S3 but factors exist to cause some concern; i.e., there is some threat, or somewhat narrow habitat. NO THREAT RANK.

S5= Population or stand demonstrably secure to ineradicable in California. NO THREAT RANK.

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California Native Plant Society's (CNPS) Lists and R-E-D Code (Rarity, Endangerment, Distribution)

1A = Presumed extinct in California
1B = Rare or Endangered in California and elsewhere
2 = Rare or Endangered in California, more common elsewhere
3 = Plants for which we need more information – review list
4 = Plants of limited distribution = Watch list

R (Rarity)
1 Rare, but found in sufficient numbers and distributed widely enough that the potential for extinction is low at this time
2 Distributed in a limited number of occurrences, occasionally more if each occurrence is small
3 Distributed in one to several highly restricted occurrences, or present in such small numbers that it is seldom reported.
4

E (Endangerment)
1 Not endangered
2 Endangered in a portion of its range
3 Endangered throughout its range
4

D (Distribution)
1 More or less widespread outside California
2 Rare outside California
3 Endemic to California

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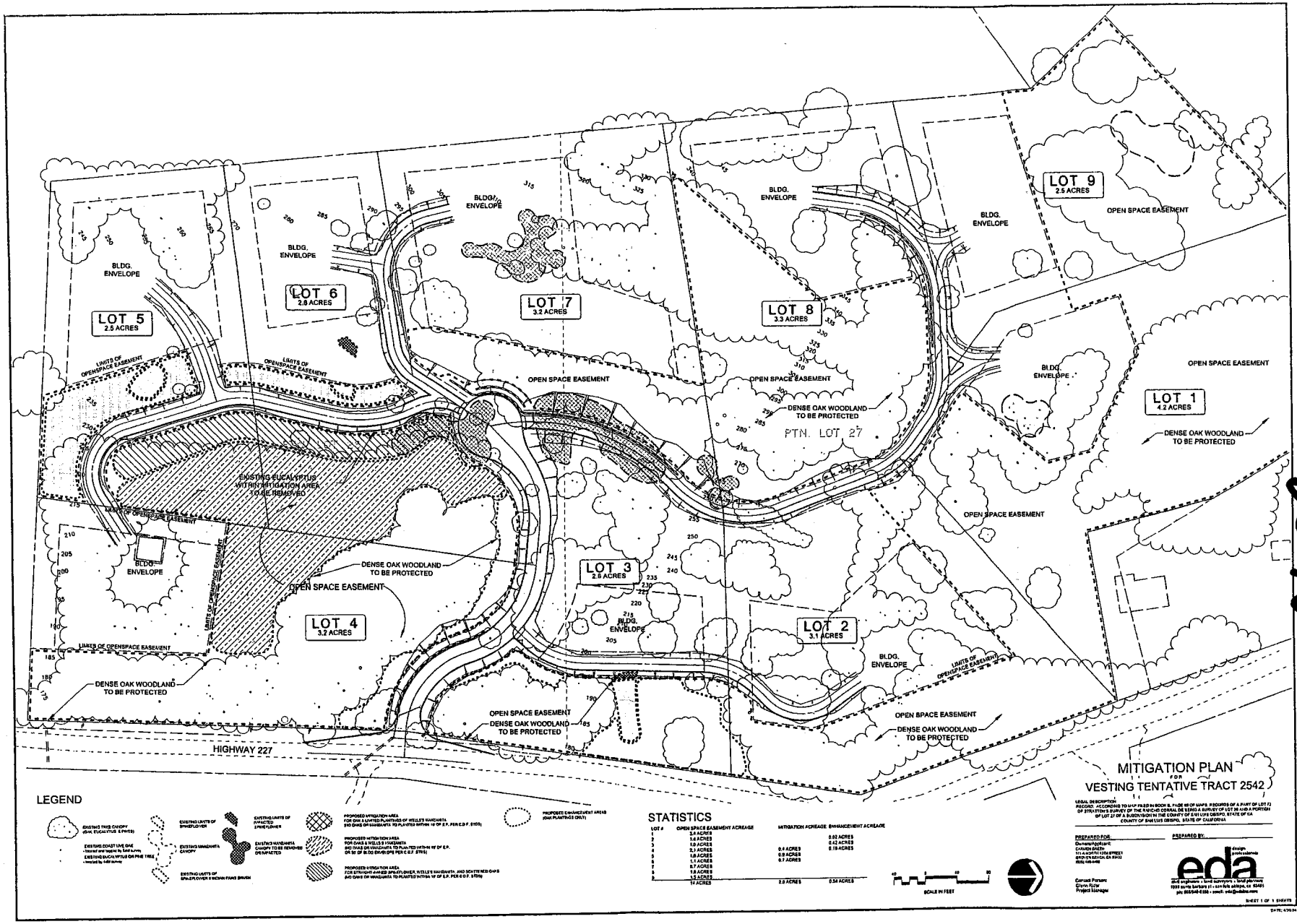
APPENDIX C – Sensitive Biological Resources Map


LOT 1
4.2 ACRES
LOT 2
3.1 ACRES
LOT 3
2.6 ACRES
LOT 4
3.2 ACRES
LOT 5
2.5 ACRES
LOT 6
2.8 ACRES
LOT 7
3.2 ACRES
LOT 8
3.3 ACRES
LOT 9
2.5 ACRES
BLDG. ENVELOPE
OPEN SPACE EASEMENT
DENSE OAK WOODLAND TO BE PROTECTED
PTN. LOT 27
EXISTING EUCALYPTUS WITHIN MITIGATION AREA TO BE REMOVED
LIMITS OF OPENSPACE EASEMENT
HIGHWAY 227
MITIGATION PLAN
FOR
VESTING TENTATIVE TRACT 2542
LEGEND
STATISTICS
SCALE IN FEET
PREPARED FOR:
PREPARED BY:
eda

2.188

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APPENDIX D –CNDDB Reports

California Native Species Field Survey Form

Mail to:
Natural Diversity Database
California Department of Fish and Game
1807 13th Street, Suite 202
Sacramento, CA 95814

2-190 *For Office Use Only*
Source Code _____ Quad Code _____
Elm Code _____ Occ. No. _____
EO Index No. _____ Map Index No. _____

Date of Field Work: 5 (month (mm)) - 8 (date (dd)) - 2003 (year (yyyy))

Scientific Name: Arctostaphylos wellsii

Common Name: Wells' Manzanita

Species Found? ☑ yes ☐ no _____ If not, why?

Total No. Individuals 150 Subsequent Visit? ☑ yes ☐ no

Is this an existing NDDB occurrence? _____ ☑ no ☐ unk.
Yes, Occ. #

Collection? If yes: _____ (Number) _____ (Museum / Herbarium)

Reporter: LynneDee Althouse & Jason Dart
Address: Althouse and Meade, Inc.
1875 Wellsona Road Paso Robles, CA 93446

Email Address: althouse@tcsn.net
Phone: (805) 467-1041

Plant Information

Phenology: 90.00 % vegetative | 10.00 % flowering | 0.00 % fruiting

Animal Information

Age Structure: _____ # adults _____ # juveniles _____ # unknown

☐ breeding ☐ wintering ☐ burrow site ☐ rookery ☐ nesting ☐ other

Location ***(please also attach or draw map on back)***

Carpenter Canyon, Arroyo Grande

County: San Luis Obispo County Landowner / Mgr.: Private

Quad Name: Arroyo Grande NE Elevation: 250'

T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____ T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____

UTM: Zone: _____ (10, 11) Datum: WGS84 _____ (NAD83, NAD27, WG584, other)

Source: _____ (GPS, map & type, etc.) Point Accuracy: _____ Meters

UTM Coordinates N35 8' 30.94" / W120 34' 12.7"

Habitat Description *(plant communities, dominants, associates, substrates/soils, aspects/slope)*

Chaparral, coast live oak woodland, and annual grasslands are the dominant habitats on a 27 acre parcel on Carpenter Canyon Road (HWY 227) in Arroyo Grande, California. 150-200 Wells' manzanita's occur in a a band across a southeast facing slope between oak woodland and chaparral areas. Soils are a sandy loam.

Other rare species? Chorizanthe rectispina and Castilleja densiflora ssp. obispoensis also occur on site.

Site Information Overall site quality: ☐ Excellent ☐ Good ☑ Fair ☐ Poor

Current / surrounding land use:

Visible disturbances / possible threats: Future development

Comments:

Determination: *(check one or more, and fill in blanks)*

- ☑ Keyed (cite reference): Jepson Manual
- ☑ Compared with specimen housed at: Hoover Herbarium, Cal Poly State University
- ☐ Compared with photo / drawing in: _____
- ☐ By another person (name): _____
- ☐ Other: _____

Photographs: *(check one or more)*

	Slide	Print
Plant / animal	☐	☐
Habitat	☐	☐
Diagnostic feature	☐	☐

May we obtain duplicates at our expense? ☐ yes ☐ no

Field observations recorded by LynneDee Althouse and Jason Dart on 5/8/03

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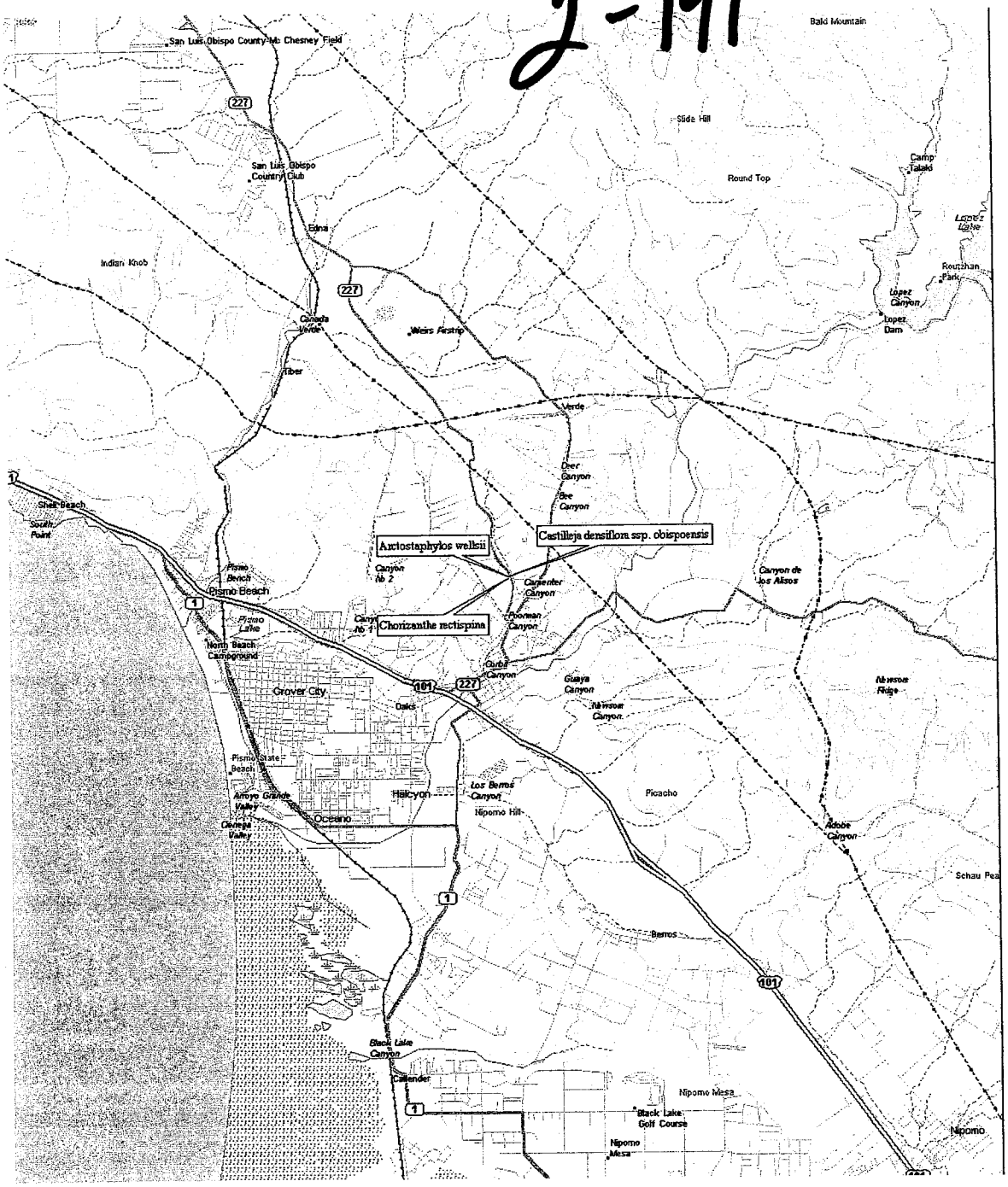

Map 1. The property is located along Carpenter Canyon Rd. (State Hwy 227) just north of Arroyo Grande, San Luis Obispo County, California. 150-200 Wells' manzanita shrubs were identified growing in a band at approximately 250' elevation in sandy soils. Coast live oak woodland is disturbed on site and grades into hard chaparral at the top of the slope. Wells' manzanita occurs between the oak woodland and chaparral habitats. *Chorizanthe rectispina* and *Castilleja densiflora* ssp. *obispoensis* also occur on site.

California Native Species Field Survey Form

Mail to:
Natural Diversity Database
California Department of Fish and Game
1807 13th Street, Suite 202
Sacramento, CA 95814

For Office Use Only
Source Code _____ Quad Code _____
Elm Code _____ Occ. No. _____
EO Index No. _____ Map Index No. _____

Date of Field Work: 5 (month (mm)) - 8 (date (dd)) - 2003 (year (yyyy))

2-192

Scientific Name: Castilleja densiflora ssp. obispoensis

Common Name: Obispo Indian Paintbrush

Species Found? ☑ yes ☐ no _____ If not, why?
Total No. Individuals 150 Subsequent Visit? ☑ yes ☐ no
Is this an existing NDDB occurrence? _____ ☑ no ☐ unk.
Yes, Occ. #
Collection? If yes: _____ (Number) _____ (Museum / Herbarium)

Reporter: LynneDee Althouse & Jason Dart
Address: Althouse and Meade, Inc.
1875 Wellsona Road Paso Robles, CA 93446
Email Address: althouse@tcsn.net
Phone: (805) 467-1041

Plant Information
Phenology: 0.00 % vegetative | 100.00 % flowering | 0.00 % fruiting

Animal Information
Age Structure: _____ # adults _____ # juveniles _____ # unknown
☐ breeding ☐ wintering ☐ burrow site ☐ rookery ☐ nesting ☐ other

Location ***(please also attach or draw map on back)***
Carpenter Canyon, Arroyo Grande

County: San Luis Obispo County Landowner / Mgr.: Private
Quad Name: Arroyo Grande NE Elevation: 250'
T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____ T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____
UTM: Zone: _____ (10, 11) Datum: WGS84 (NAD83, NAD27, WGS84, other)
Source: _____ (GPS, map & type, etc.) Point Accuracy: _____ Meters
UTM Coordinates N35 8' 30.94" / W120 34' 12.7"

Habitat Description *(plant communities, dominants, associates, substrates/soils, aspects/slope)*
Chaparral, coast live oak woodland, and annual grasslands are the dominant habitats on a 27 acre parcel on Carpenter Canyon Road (HWY 227) in Arroyo Grande, California. 150-200 Obispo Indian paintbrush are scattered in annual grassland habitat at the toe of a slope in sandy soils.

Other rare species? Chorizanthe rectispina and Arctostaphylos wellsii also occur on site.

Site Information Overall site quality: ☐ Excellent ☐ Good ☑ Fair ☐ Poor
Current / surrounding land use:
Visible disturbances / possible threats: Future development. The non-native invasive veldt grass, Ehrharta calycina, is a dominant component of the annual grassland habitat.
Comments: This species was collected at this site and will be submitted to the Hoover Herbarium, California Polytechnic State University.

Determination: *(check one or more, and fill in blanks)*
☑ Keyed (cite reference): Jepson Manual
☑ Compared with specimen housed at: Hoover Herbarium, Cal Poly State University
☐ Compared with photo / drawing in: _____
☐ By another person (name): _____
☐ Other: _____

Photographs: *(check one or more)* Slide Print
Plant / animal ☐ ☐
Habitat ☐ ☑
Diagnostic feature ☐ ☐
May we obtain duplicates at our expense? ☐ yes ☐ no

Field observations recorded by LynneDee Althouse and Jason Dart on 5/8/03

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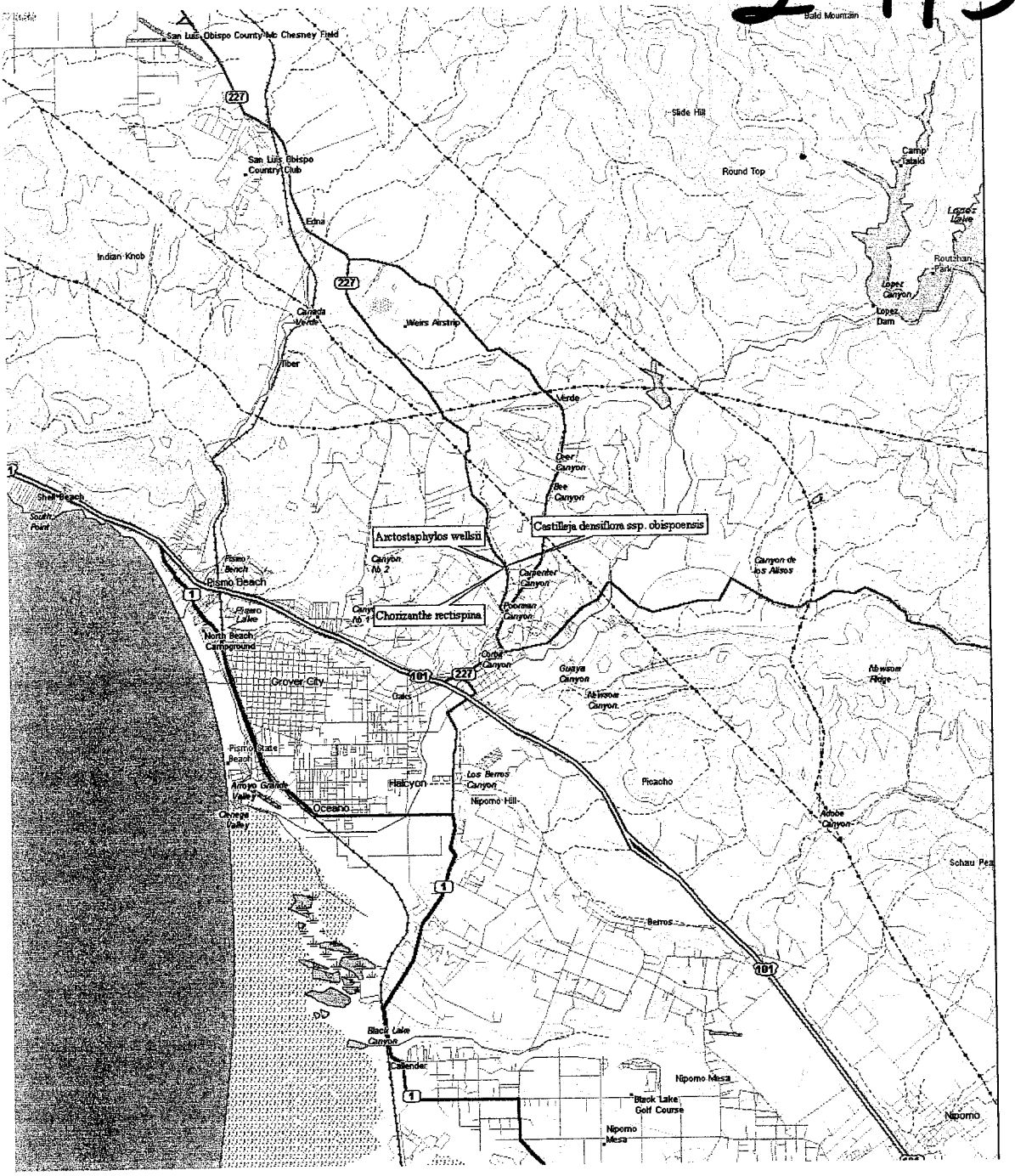

Map 1. This 27 acre property is located along Carpenter Canyon Road (State Hwy 227) just north of Arroyo Grande, San Luis Obispo County, California. Approximately 150-200 Obispo Indian paintbrush plants were observed in annual grassland habitat in sandy soils at the toe of a slope. The dominant grasses were veldt grass (*Ehrharta calycina*) and soft chess brome (*Bromus hordeaceous*).

N35 8' 30.94" / W120 34' 12.7"

Althouse and Meade, Inc. 1875 Wellsona Rd. Paso Robles, California. 93446. 805-467-1041

California Native Species Field Survey Form

Mail to:
Natural Diversity Database
California Department of Fish and Game
1807 13th Street, Suite 202
Sacramento, CA 95814

For Office Use Only
Source Code _____ Quad Code _____
Elm Code _____ Occ. No. _____
EO Index No. _____ Map Index No. _____

Date of Field Work: 5 (month (mm)) - 8 (date (dd)) - 2003 (year (yyyy))

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Scientific Name: Chorizanthe rectispina

Common Name: Straight-awned Spineflower

Species Found? ☑ yes ☐ no _____ If not, why?
Total No. Individuals 4,000 Subsequent Visit? ☑ yes ☐ no
Is this an existing NDDB occurrence? _____ Yes, Occ. # ☑ no ☐ unk.
Collection? If yes: _____ Number _____ Museum / Herbarium

Reporter: LynneDee Althouse & Jason Dart
Address: Althouse and Meade, Inc.
1875 Wellsona Road Paso Robles, CA 93446
Email Address: althouse@tcsn.net
Phone: (805) 467-1041

Plant Information
Phenology: 100.00 % vegetative; 0.00 % flowering; 0.00 % fruiting

Animal Information
Age Structure: _____ # adults _____ # juveniles _____ # unknown
☐ breeding ☐ wintering ☐ burrow site ☐ rookery ☐ nesting ☐ other

Location ***(please also attach or draw map on back)***
Carpenter Canyon, Arroyo Grande

County: San Luis Obispo County Landowner / Mgr.: Private
Quad Name: Arroyo Grande NE Elevation: 250'
T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____ T _____ R _____ _____ 1/4 of _____ 1/4 of Section _____
UTM: Zone: _____ (10, 11) Datum: WGS84 (NAD83, NAD27, WG584, other)
Source: _____ (GPS, map & type, etc.) Point Accuracy: _____ Meters
UTM Coordinates N35 8' 30.94" / W120 34' 12.7"

Habitat Description *(plant communities, dominants, associates, substrates/soils, aspects/slope)*
Chaparral, coast live oak woodland, and annual grasslands are the dominant habitats on a 27 acre parcel on Carpenter Canyon Road (HWY 227) in Arroyo Grande, California. Approximately 4000 straight-awned spineflowers were identified in two populations in disturbed ground near a dirt access road. Weedy grasses, including veldt grass (Ehrharta calycina) are dominant. Coast live oak and blue gum eucalyptus woodlands are adjacent. Arctostaphylos wellsii grows nearby.

Other rare species? Wells' manzanita, Arctostaphylos wellsii, and Obispo Indian paintbrush, Castilleja densiflora ssp. obispoensis also occurs on site.

Site Information Overall site quality: ☐ Excellent ☐ Good ☑ Fair ☐ Poor

Current / surrounding land use:

Visible disturbances / possible threats: Future development

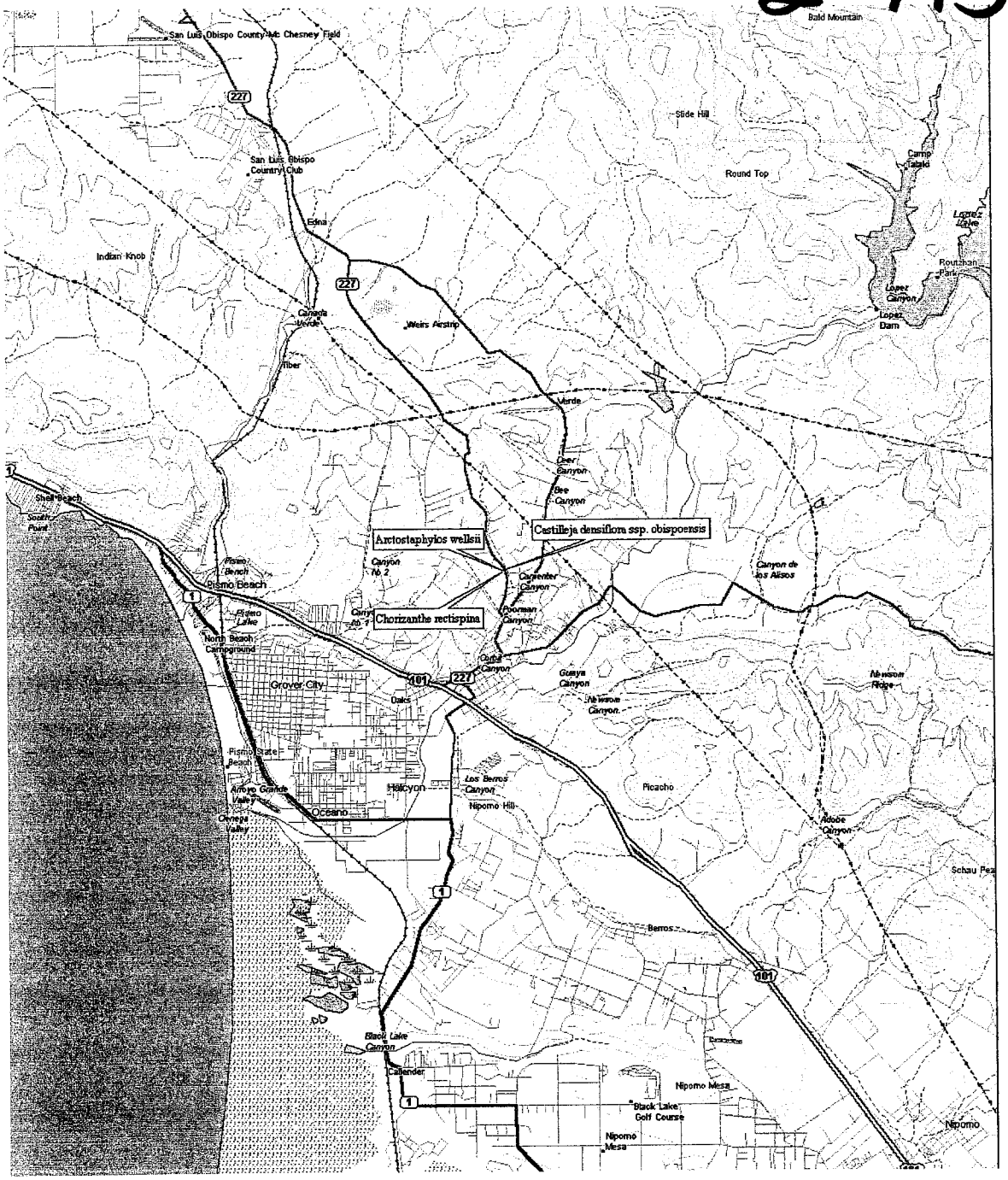
Comments:

Determination: *(check one or more, and fill in blanks)*
☑ Keyed (cite reference): Jepson Manual
☑ Compared with specimen housed at: Hoover Herbarium, Cal Poly State University
☐ Compared with photo / drawing in: _____
☐ By another person (name): _____
☐ Other: _____

Photographs: *(check one or more)* Slide Print
Plant / animal ☐ ☐
Habitat ☐ ☑
Diagnostic feature ☐ ☐
May we obtain duplicates at our expense? ☑ yes ☐ no

Field observations recorded by LynneDee Althouse and Jason Dart on 5/8/03

2-195



Map 1. The property is located along Carpenter Canyon Rd. (State Hwy 227) just north of Arroyo Grande, San Luis Obispo County, California. Approximately 4000 straight-awned spineflowers were observed in two populations in sandy open ground near coast live oak woodland, blue-gum eucalyptus grove, and a stand of Wells' manzanita (*Arctostaphylos wellsii*). Obispo Indian paintbrush also occurs in annual grassland habitats on the property.

N35 8' 30.94" / W120 34' 12.7"

Althouse and Meade, Inc. 1875 Wellsona Rd. Paso Robles, California. 93446. 805-467-1041

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APPENDIX E –Mitigation Monitoring and Reporting Plan

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Mitigation Monitoring and Reporting Plan

for

Tract 2542

Carpenter Canyon
San Luis Obispo County

Prepared for:

BFD Properties
c/o Mike Butcher and Carmen Green
166 N. 9th Street
Grover Beach, CA 93433

by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES
1875 Wellsona Road
Paso Robles, CA 93446
(805) 467-1041

June 2004

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I. Introduction

The mitigation plan for Tract 2542 is to mitigate for impacts to coast live oak trees and three rare plant species. The plant species are Well's manzanita, straight-awned spineflower and Obispo Indian paintbrush. A mitigation area was selected where all impacted species may be planted, and where water will be available for initial establishment.

BFD Properties designed the residential development to avoid and minimize impacts to oaks and rare species on Tract 2542. The owners worked with Althouse and Meade, Inc. and EDA planners to provide habitat buffers and mitigation that will enhance, restore, and protect habitat suitable for oaks and rare plant species.

This plan is designed to guide landowners and contractors with performance criteria and reporting obligations that will fulfill the CEQA obligation to mitigate vegetation impacts to a level of insignificance.

In May 2004, LynneDee Althouse met with John McKenzie, John Nall, and Stephanie Fuhs. The applicant's agents, Glenn Rider and Stacie Gleim, were also present. At that meeting and a follow-up meeting in June, additional open space was requested. This plan responds to the design that provides permanent open space in each lot.

II. Species Included in Mitigation Plan

Table 1. Species included in the mitigation plan.

Common Name	Scientific Name	State/Federal/CNPS protection status	Mitigation Ratio
Coast live oak	*Quercus agrifolia*	no state or federal protection; protected by County of San Luis Obispo	2:1 for impacted oaks; 4:1 for removed oaks
Well's manzanita	*Arctostaphylos wellsii*	no state or federal protection; CNPS list 1B	1:1 to restore manzanita canopy lost (aerial extent)
Straight-awned spineflower	*Chorizanthe rectispina*	Federal species of concern; CNPS 1B	2:1 aerial extent, if over 10% of the existing aerial extent is proposed for impact.
Obispo Indian paintbrush	*Castilleja densiflora* ssp. *obispoensis*	no state of federal protection; CNPS list 1B	1:1 aerial extent with associated grassland species

III. Project/Impact Site

A. Responsible Parties

Project owner
Michael Butcher and Carmen Green
BFD Properties
171-A North 13th Street
Grover Beach, CA 93433
Contact: Carmen Green 805-489-8493

Mitigation Layout/Design
Stacie Gleim
EDA Design Professionals
1998 Santa Barbara St
San Luis Obispo, CA 93401
805-549-8658

Project Manager
Glenn Rider
EDA Design Professionals
1998 Santa Barbara St
San Luis Obispo, CA 93401
805-549-8658

Consulting Biologist
LynneDee Althouse
Althouse and Meade, Inc.
1875 Wellsona Road
Paso Robles, CA 93446
805-467-1041
FAX 467-1021

B. Location and Name of Project

Tract 2542 is located in the County of San Luis Obispo, at 757 Carpenter Canyon Road (Highway 227), in the vicinity of Arroyo Grande.

C. Brief Summary of Overall Project

The project consists of creating nine single family lots within a 27.4 acre parcel (APN 047-137-021). The area is zoned residential suburban. The project includes an open-space easement of 14 acres. Within the easement, a two-acre mitigation restoration area will be revegetated with oak and chaparral species (below) and protected in perpetuity.

Table 2. Proposed impacts and mitigations.

Common Name	Proposed Impacts	Proposed Mitigation	Units/Notes
Coast live oaks removed	25 trees	100 trees	gallon-size trees in groups of 3 to 5
Coast live oaks impacted	30 trees	60 trees	gallon-size trees
Well's manzanita	0.5 acre	0.5 acre (200 plants)	acres planted at a density of 400 plants per acre
Straight-awned spineflower	0.008 acre (about 10% of population area)	0.08 acre	maintain and enhance with minor replanting
Obispo Indian paintbrush	0.005 acre (less than 10% of population area)	0.08 acre	maintain habitat area with minor replanting

The following open space easements, mitigation areas, and enhancement areas are proposed for each lot (Table 3).

Table 3. Calculated areas for open space easement, mitigation site(s), and enhancement. The mitigation and enhancement areas are within the easement boundaries. (Areas are in acres.)

Lot #	easement	Mitigation/ restoration	enhancement
1	3.4		
2	1.4		0.02
3	1.0		0.42
4	2.1	0.4	0.1
5	1.0	0.9	
6	1.1	0.7	
7	0.7		
8	1.8		
9	1.5		
Total	14.0	2.0	0.54

D. Mitigation Restoration and Enhancement Areas to be Managed

The two-acre mitigation restoration area is currently dominated by eucalyptus trees, a non-native species that prevents native vegetation from covering the soil under the tree canopies. The mitigation area is within Lots 4, 5, and 6, with the majority of the mitigation area (2.0 acres) within Lot 6. The mitigation area will be incorporated into an open-space easement.

An additional 0.54 acre within the open space, along Highway 227 will be enhanced with coast live oaks, spineflower, and paintbrush in Lots 3 and 4.

E. Open Space Area

Approximately 14 acres of open-space easement is proposed along Highway 227 (Lots 1, 2, 3, and 4) and through lots 5 to 9. Lot 3 contains Obispo Indian paintbrush and a small patch of straight-awned spineflower that will be protected and enhanced. The open space contains dense oak woodland, patches of Well's manzanita, and grassland habitats plus the two-acre mitigation restoration area described above.

F. Existing Type(s), Functions, and Values of the Mitigation Area

The existing habitats in the proposed mitigation areas are eucalyptus grove, a disturbed dirt road, and a disturbance area created by off-road vehicles (Table 4). The enhancement area is oak woodland with a patch of annual grassland near Highway 227. The habitat value of the eucalyptus grove is generally very low. However, the eucalyptus grove is used by a great horned owl that may be nesting on site. The habitat value of the access road and disturbance area is very low.

The habitat value of the oak woodland and annual grassland that will be enhanced is high. The grassland contains two rare species (the straight-awned spineflower and the Obispo Indian paintbrush), and is bordered by a mature coast live oak woodland.

Table 4. Existing mitigation and enhancement site conditions. Habitat types, locations, functions and values are low for the mitigation area and high for the enhancement area.

Habitat Type	Location	Function	Value
Eucalyptus grove (mitigation site)	South end of property, Lot 4 (mitigation restoration area)	Non-native trees	Very Low
Existing access road and disturbance area (mitigation site)	Bottom of Lots 5 and 6	Disturbed grassland, dirt roadway	Very Low, except for patches of straight-awned spine flower
Oak woodland and annual grassland (enhancement area)	Highway 227	Well-developed native oak woodland and stable grassland with rare plant species	High

IV. Goals of the Mitigation Management Plan

The first goal of the mitigation plan is to preserve oaks and manzanita habitat in perpetuity. The project proposes to provide 14 acres of open space, more than half of the 27 acres parcel. The second goal is to restore oaks and rare plants where eucalyptus trees occupy the site. The third goal is to enhance other areas, with rare species and coast live oaks.

Within the open space easement area, there will be two acres that are carefully managed to restore oaks, manzanitas and spineflower (Table 5). The two acre area concentrates the mitigation planting and maintenance area in a location that is accessible and where irrigation is available to maintain trees and shrubs during the first few years.

Habitat enhancement areas will be planted and more passively managed (Table 6). For example, oaks will be irrigated with "gel-packs" and occasional buckets of water.

Types and Areas of Habitat to be Established, Restored, Enhanced, and/or Preserved

Table 5. Type of Habitat in Mitigation Management Area	**Acres**
Oak woodland and scattered oaks in mitigation restoration area	1.5
Well's manzanita chaparral and scattered oaks in mitigation restoration area	0.5
Straight-awned spineflower protected in mitigation area	0.07
Total mitigation area	2

Table 6. Type of Habitat in Additional Open Space Habitat Enhancement Areas	**Acres**
Obispo Indian paintbrush protected in open space	0.03
Oaks planted in open space	0.5
Straight-awned spineflower protected in open space	0.02
Total enhancement area	0.55

The open-space easement includes the protected, enhanced, and mitigation/restoration areas, a total of 14 acres.

A. Specific Functions and Values of Habitat Type(s) to be Established, Restored, Enhanced, and/or Preserved

The oak woodland and scattered oaks will provide nesting and breeding habitat for native bird and insect species.

The Well's manzanita chaparral will provide an area for this rare species and associated songbirds (such as wren tit, thrasher, and California towhee) to persist.

The proposed locations for straight-awned spineflower and Obispo Indian paintbrush will be in grassland and disturbed grassland habitats as required by these species. Grassland and disturbed grassland provide foraging habitat for native songbirds. The grassland protects the soil from erosion, and reduces stormwater runoff through this portion of the project site.

B. Time Lapse Between Start of Development and Restoration Success

Approximately 5 years after completion of installation will be required to attain success.

V. Implementation Plan for Mitigation Areas

A. Rationale for Expecting Implementation Success

Oak Woodland: The project site is dominated by patches of oak woodland with scattered oak trees. Removal of invasive eucalyptus trees will provide sunlight and water necessary for oak tree survival. Newly planted oaks will be cultivated for the first five years.

Well's manzanita: A co-dominant species on the property is Well's manzanita. This manzanita requires thin sandstone soils, conditions that dominate the mitigation area. Newly planted manzanitas will be cultivated for the first five years.

Straight-awned spineflower: This annual plant is generally less than two inches tall, and occurs in disturbed openings in chaparral. It is typically found on thin sandy soils where grasses are not dominant. Seeds will be collected in August and scattered in disturbed areas within the mitigation area to expand the existing boundaries of the population.

Obispo Indian paintbrush: This paintbrush is abundant in mesic grasslands in the coastal zone of San Luis Obispo County. Seeds will be collected in August. In November, seeds will be scattered with perennial and annual grasses in the open space, near existing plants where the soil is deep enough for grassland species to persist without irrigation after the first year.

B. Responsible Parties

The project developer, BFD Properties, will restore the mitigation areas.

Project monitor: County-approved restoration specialist

The lead agency: The County of San Luis Obispo

C. Schedule

Initial site preparation and eucalyptus removal will begin in the fall of 2004. Restoration and site enhancement will begin in the winter 2005. Installation will be complete by 2007.

D. Site Preparation

The site of the mitigation areas will be prepared in accordance with the approved project grading plan.

E. Planting Plan

The planting plan is shown on the project Mitigation Plan prepared by Stacie Gleim, EDA planner (Attachment A).

F. Irrigation Plan

The irrigation plan will be prepared with the final landscape plans by a qualified landscape contractor in accordance with the approved project. Irrigation will provide irrigation water appropriate for habitat establishment. A well must be improved prior to implementation. It may be appropriate to provide a large water tank for the purposes of irrigating the restoration site for a period of five years. Two inch hard line shall be provided under the roadway to Lots 4, 5, and 6.

Irrigation for the few shrubs and trees planted in Lot 3 will be provided by gel-packs and hand-watering, as needed.

G. Fencing and rodent protection

Fencing, rodent protection, and rodent control will be provided on an as-needed basis. Oaks will be protected with 3.0 to 4.0 ft. shrub tubes and support stakes. In areas prone to voles and gophers, tree root zones will be protected with aviary wire-mesh baskets (Figure 1).

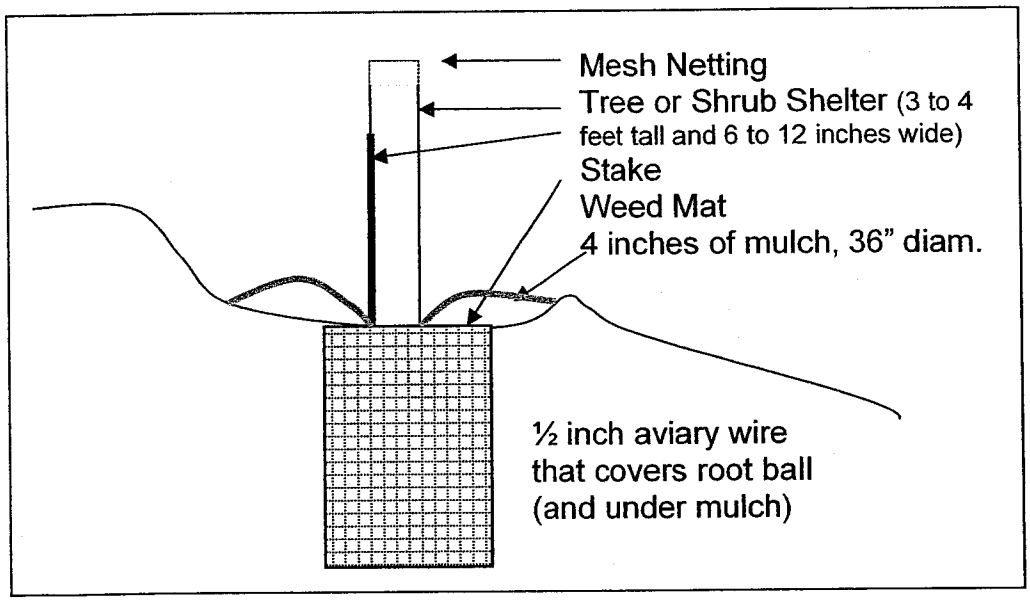

Figure 1. Tree protection.

H. Weed abatement

Weeds will be removed by hand around trees and shrubs. Weeds in open areas large enough for equipment will be mowed or weed-whacked. Herbicide will only be applied after hand and mechanical weed abatement measures have been used. Weeding will be scheduled three times per year: Spring, Summer, and Fall. Weed abatement efforts will focus on veldt grass (*Erharhta calycina)*, ice plant *(Carpobrotus* spp.), and eucalyptus re-sprouts and volunteers.

VI. Maintenance activities during the monitoring period

A. Maintenance Activities

The mitigation areas will be maintained after installation and project completion by the Home Owner's Association. Maintenance activities will be consistent with Performance Criteria described in this plan.

B. Responsible Parties

Mitigation Area Restoration and Enhancement: BFD Properties

Site maintenance: HOA, to be determined

C. Schedule

Year 1

Eucalyptus tree removal shall be done between September 1 and December 15 to avoid potential disturbance of nesting songbirds or raptors. If tree removal is conducted between February 1 and August 31, the trees shall be monitored by a qualified biologist. If nesting songbirds or raptors are present, the trees within 100 feet of the nesting birds may not be removed until the young have fledged.

The optimal period for installation of plant material is between December and March, when air temperatures are low and soil moisture is high. The contractor shall maintain the initial installation for 180 days following implementation.

Years 2 – 5

Monthly – inspect irrigation; provide deep, infrequent water

May – weed, check mulch and browse protection

July - weed, check mulch and browse protection

September - weed, check mulch and browse protection

The irrigation system will be checked and maintained once a month (minimum) during summer months. Irrigation will be reduced during years 3 to 5 (provided the years are average or above-average rainfall years).

The mitigation areas will be routinely maintained in the late May and September each year. In addition, trees and shrubs will be weeded and fertilized three times per year (Winter, Spring, and Fall). Mulch and browse protection will be checked and maintained as needed. Dead or severely damaged material will be replaced immediately.

VII. Monitoring Plan for the Mitigation Restoration Area

The goal of the Mitigation Restoration Area is to provide functional habitat value for native plants and animals. Performance criteria are provided to measure progress toward the goal. Performance criteria and yearly targets are presented below. Success rates that are below the stated minimum target for each criterion indicate the need for additional revegetation, plant protection, weed eradication, or erosion control efforts.

A. Performance Standards for Target Dates and Success Criteria

Table 7. Performance Criteria.

Mitigation Areas						
Feature	**Performance Criteria**	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Trees	Survival	90%	80%	75%	75%	75%
Trees	Height	3 ft.	4 ft.	5 ft.	5.5 ft.	6 ft.
Trees	Canopy diameter	< 6 in.	6 in.	1 ft.	2 ft.	3 ft.
Manzanitas	Survival	90%	80%	75%	75%	75%
Manzanitas	Height	1 ft.	1.5 ft.	2 ft.	2.5 ft.	3 ft.
Manzanitas	Canopy diameter	.5 ft	1 ft.	1.5 ft.	2 ft.	2.5 ft.
Manzanitas	Canopy area covered	0.1 acre	0.2 acre	0.3 acre	0.4 acre	0.5 acre
Straight-awned spineflower	Canopy area covered	2000 sq. ft.	3000 sq. ft.	4000 sq. ft.	5000 sq. ft.	5000 sq. ft.
Obispo Indian Paintbrush	Canopy area covered	1360 sq. ft.	1400 sq. ft.	1500 sq. ft	1600 sq. ft	1600 sq. ft.

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B. Monitoring Methods

The biologist who prepares the annual report will use the following methods to measure parameters on the site. The site monitor will indicate on a site map where any problem areas are located. In Year 1, the actual area of each habitat type will be measured and reported. If the size of each area is consistent with Section IVA, no additional measurement of site dimensions will be necessary in subsequent years. During all years, the following information will be monitored for the mitigation features listed.

Table 8. Monitoring methods for performance criteria.

Feature	Performance Criteria	Monitoring Method
Trees	Survival of trees planted	Number each tree with permanent tag on tree stake. Use Forester's blue anodized aluminum tags (Ben Meadows 4JB-152651. Individual trees will be monitored for 5 years. Calculate percent survival each year.
Trees	Height	Measure all trees. Report average and range of heights.
Trees	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Manzanitas	Survival of shrubs planted	Count shrubs. Calculate survival percentage each year.
Manzanitas	Height	Estimate height of all shrubs. Report average and range of heights.
Manzanitas	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Straight-awned spineflower	Canopy area covered	Estimate canopy coverage in each patch. Report total area of all patches.
Obispo Indian paintbrush	Canopy area covered	Estimate canopy coverage in each patch. Report total area of all patches.
Other	Trash	Inspect visually and report.
Other	Erosion	Inspect visually and report.
Other	Human intrusion/disturbance	Inspect visually and report.
Other	Pest damage	Inspect visually and report.
Weeds	% cover	Inspect visually and report

C. Monitoring Schedule

The site will be monitored by a County qualified restoration specialist during the spring (May or June) for five years. If the project does not meet the success criteria by year 5, remediation will be continued and the project monitored until success is met.

D. Annual Monitoring Reports

Annual monitoring reports will be submitted to the County of San Luis Obispo by July 31 of each year. The report will include a site map where any problem areas are located. A summary table and discussion shall compare performance standards and success criteria with the annual monitoring data.

The following information will be included in the monitoring reports for the project. Submit reports unbound for inclusion into the official case file. Electronic copies of the reports can be submitted in lieu of written reports.

Pages 1-2

A. Project Information
    1. Project Name
    2. Applicant name, address, and phone number
    3. Consultant name, address, and phone number (for permit applications if necessary)
    4. County file number
    5. Acres and type(s) of habitat
    6. Date project construction commenced
    7. Location of the project and directions to site (including latitude/longitude or UTM coordinates)

B. Brief Summary of Remedial Action(s) and Maintenance of the Mitigation Habitat Areas

Page 2 or 3

A. Map of the mitigation habitat areas (year 1)
    1. 8 ½ by 11 diagram of the site including:
        a. Habitat types (as constructed)
        b. Locations of photographic record stations
        c. Landmarks
        d. Inset defining location of the site

Page 3 or 4

A. List success criteria
B. Table of results form the monitoring visits versus performance standards for specified target dates

Page 5, 6 or 7:

A. Summary of field data taken to determine compliance with performance standards and success criteria (at least one page, no more than two pages)

Page 6, 7, or 8 (if needed):

A. Summary of any significant events that occurred on the site that may affect mitigation success criteria

VIII. References

Althouse and Meade, Inc. 2003. Botanical Assessment for APN 047-137-021, a 27-acdre property in Carpenter Canyon, San Luis Obispo County. Prepared for Butcher and Chambers CPA, Grover Beach.

CNDDB. 2004. Special vascular plants, bryophytes, and lichens list. January.

EDA. 2004. Vesting tentative map for Tract 2542, sheet 1 of 3. Prepared for Carmen Green, Grover Beach [KI:\22780100\TM\2780100TM-01.dwg; modified 4/30/04 by stacieg]

EDA. 2004. Mitigation plan for Tract 2542, sheet 1 of 1. Prepared for Carmen Green, Grover Beach.

Attachment A –Mitigation Plan Site Map

(Map prepared by EDA Design Professionals)

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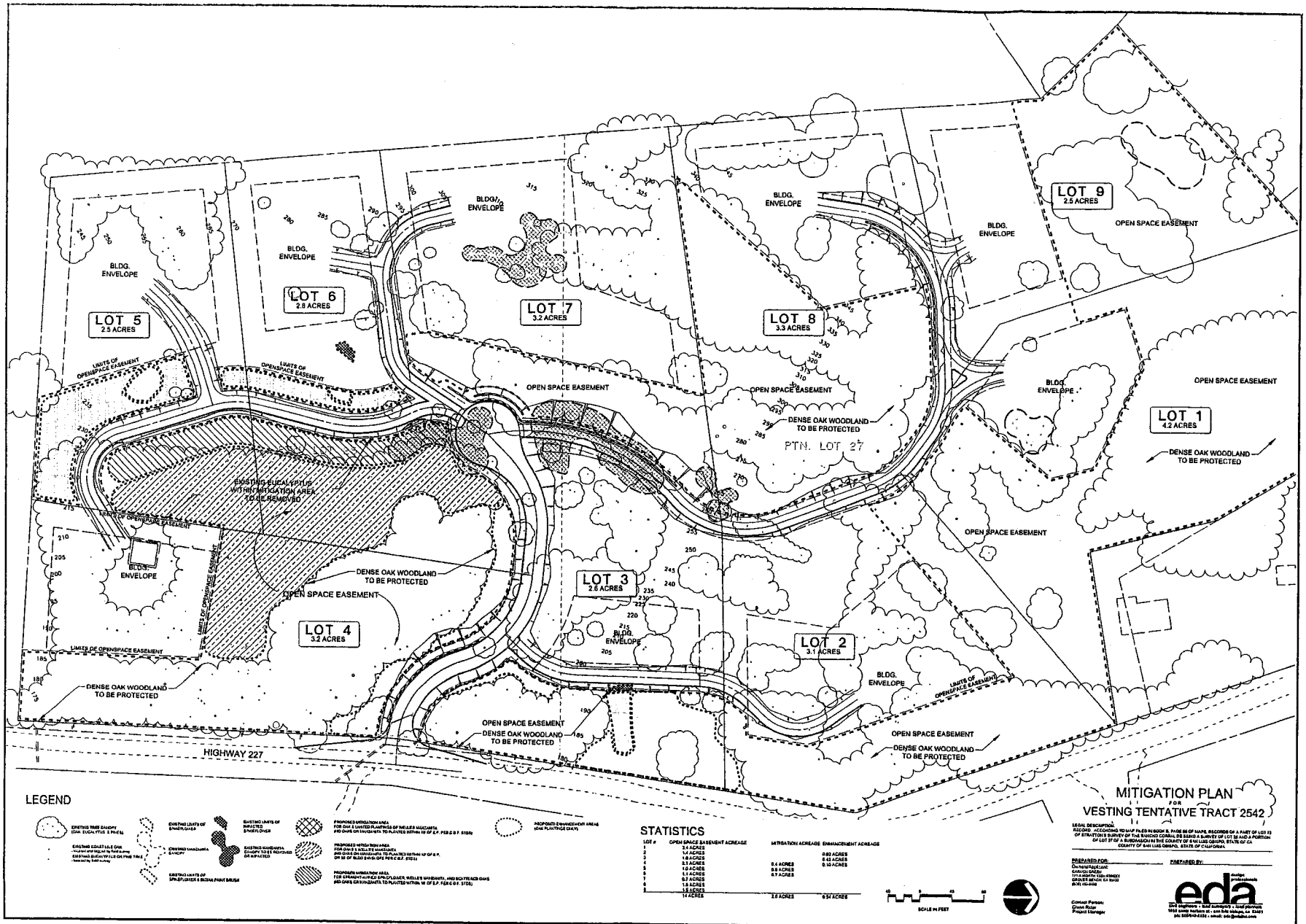
LOT 5
2.5 ACRES
LOT 6
2.8 ACRES
LOT 7
3.2 ACRES
LOT 8
3.3 ACRES
LOT 9
2.5 ACRES
LOT 1
4.2 ACRES
LOT 2
3.1 ACRES
LOT 3
2.6 ACRES
LOT 4
3.2 ACRES
BLDG. ENVELOPE
OPEN SPACE EASEMENT
LIMITS OF OPENSPACE EASEMENT
DENSE OAK WOODLAND TO BE PROTECTED
PTN. LOT 27
EXISTING EUCALYPTUS WITHIN MITIGATION AREA TO BE REMOVED
HIGHWAY 227
LEGEND
STATISTICS
SCALE IN FEET
MITIGATION PLAN
FOR
VESTING TENTATIVE TRACT 2542
PREPARED BY:
eda

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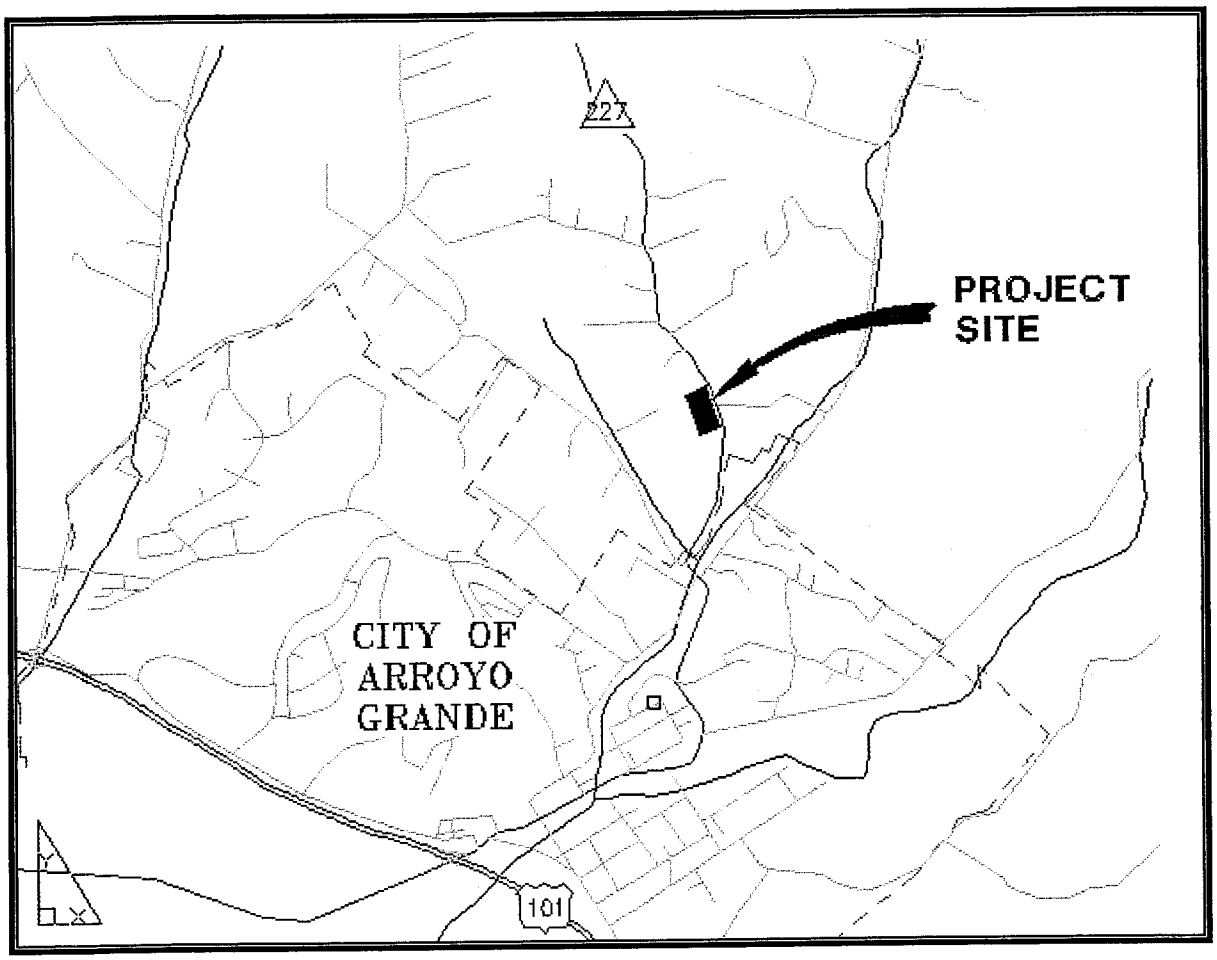
Supplemental Development Statement

Carpenter Canyon Estates-Tract 2542

I. Introduction:

Carpenter Canyon Estates is proposed on a 27.4-acre site located in an area known as the Arroyo Grande fringe, approximately one mile north of the city limits of Arroyo Grande. The project site lies within the San Luis Bay Area Plan according to the San Luis Obispo County General Plan. The site runs north-south along Carpenter Canyon Road, otherwise known as Highway 227.



The applicants, BFD Properties, are proposing a subdivision (Tract 2542) in accordance with County Title 21(Real Property Division Ordinance) and Title 22 (Land Use Ordinance) Section 22.22.070 Residential Suburban (RS) Category. Subdivision

standards from the RS category were applied to the site. A minimum lot size of 2.5-acres is allowed on sites that can provide individual water and septic systems and that have average slopes of 16-30%. Based on the 27.4 gross acre project site, 11 residential lots are allowed. The site is not eligible for a cluster subdivision under the County's cluster subdivision category due to an inability to fulfill the requirement for a community water system.

After a thorough review of the site constraints, the applicants are proposing a residential subdivision of 9 lots ranging from 2.5 to 4.2 acres each and 14-acres of open space easements (approximately 51% of the gross site area) across the lots, containing 2-acres of mitigation planting area, and ½ acre of restoration/enhancements.

II. Project Setting:

The Carpenter Canyon Estates site has traditionally been vacant and used for accessory storage. The site is moderately sloped and contains several areas of oak woodland, eucalyptus groves, scattered pines, and several patches of manzanita. The remainder of the site consists of large open areas of non-native grassland.

III. Project Design:

A. Objectives:

The owner's objectives for this residential subdivision project are as follows:

- To permanently protect, enhance, and restore sensitive areas on site, by establishing open space easements and building envelope restrictions for the protection of existing habitat and establishment of wildlife corridors.
- To create a low-impact, aesthetically and environmentally friendly community.

Great care was taken to avoid and reduce impacts to the site. The project concept was developed as a result of several design team meetings with the project planner, Glenn Rider, project designer, Stacie Gliem, project biologist, Lyndee Althouse Ph.D. (Althouse & Meade, Inc.), and County planning and environmental staff.

Building site envelopes and driveway alignments are proposed in areas of existing clearings and outside of oak tree canopy to the extent possible. The design also utilizes the use of retaining walls to avoid and reduce impacts to oak trees, rare plant species, and topography. In addition, retaining walls will aid in minimizing exposed graded slopes.

Site access will be taken off Hwy 227 via a public road that will extend approximately 440-feet to a cul-de-sac. Several private driveways will diverge from the main public access road; each providing shared access to individual residences.

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B. Visual and Noise

Potential visual and noise impacts from the project will be mitigated by the elevated nature of the site, existing screening, building envelope setbacks, conditions, if necessary for color stealth/camouflage, and additional native vegetation screening.

Lots 2 and 3 will be enhanced with additional oak tree plantings to increase the vegetative screening that already exists along the frontage. Building sites are also proposed at a minimum of 100-feet from the Hwy 227 public right of way. Extensive vegetative screening also exists throughout the site.

Lots 5, 6, and 7 can be conditioned to require colors lending stealth and the installation of native vegetation screening, to an extent that would not block views, which will buffer the view of these buildings and mitigate any potential visual impacts from the public roadway.

C. Open Space Easements

The project is proposing 14-acres of open space easements (approximately 51% of the gross site area) across the lots, containing 2-acres of mitigation planting area, and ½ acre of restoration/enhancements. The purpose of establishing open space on the project site is to permanently protect existing habitat and wildlife corridors; and enhance, and restore several sensitive botanical areas that have been delineated on the site. Impacts will be mitigated onsite within the open space easement areas under the direction of the Mitigation Monitoring and Reporting Plan- (see special studies).

IV. Special Studies

A. Botanical Report

1. "Botanical Assessment", Althouse and Meade, Inc., July 2003. The objective of the survey effort was to identify the resident plants, and to determine if any rare, threatened, or endangered species of plants existing within the project site.

   No state or federal listing species or habitats were found on the project site. However, three species of concern as listed by the California Native Plant Society (CNPS), were found. The study made recommendations and outlined specific methods for mitigating impacts of site development to these species. Upon receipt of the study, **eda** planners spoke with County staff for additional input on how best to avoid and minimize impacts to the site.

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B. Mitigation and Monitoring Plan

1. "Mitigation Monitoring and Reporting Plan", Althouse and Meade, Inc., May 2004. The report provides a plan for the mitigation of impacts to coast live oaks trees and three rare plant species and fulfills the California Environmental Quality Act (CEQA) obligation to mitigate vegetation impacts to a level of insignificance. According to the report, sufficient mitigation areas were identified on site with necessary habitat buffers. These areas are outlined within the open space easement, as protection, enhancement and mitigation areas. Upon recommendation from staff, the mitigation plan was amended to further expand the open space easement areas in order to protect additional area and wildlife corridors on site.

C. Archeological Reports

1. "Cultural Resource Investigation", Parker & Associates, John Parker, Ph.D., RPA, February 2003. The report identified no culturally significant materials.

V. Ownership & Maintenance:

The properties involved in the open space easements will continue to operate as a residential subdivision in private ownership. Conditions, covenants and restrictions (CC&R's) governing a Homeowners Association (HOA) will insure that maintenance of the open space easement areas, and driveway easements are continued in perpetuity. Provisions for a future private trail and water storage uses within the open space easement may be achieved by separate agreement and "not a part" of this proposed Vested Tentative Tract Map 2542.

Well agreements will be formed to maintain the water tanks and the water service infrastructure that serve the residential home sites. A road maintenance agreement will be made between the residential homeowners. This agreement will include shared use of roads for access to the residential home sites and to Highway 227.

VI. Services & Infrastructure:

A. Domestic Water/Water Storage

Existing onsite wells and new wells, if necessary, will be utilized to supply individual and shared water tanks for domestic water service, fire suppression, and the open space easement area irrigation. Fire sprinkler/life safety systems will be required for all residences where the driveway or access road exceeds 16%.

Domestic water conservation techniques will be encouraged including residential drip irrigation and drought tolerant/native residential landscape plantings.

Environmental Health has issued a letter indicating sufficient knowledge of water availability is available for tentative map processing.

B. Wastewater

Each residential home site will be served by individual septic systems to be installed and permitted at the time of building permits. A representative percolation test was performed on the project site and is included with the resubmitted package. Environmental Health has issued a letter indicating there is sufficient knowledge of septic suitability for tentative map processing.

C. Drainage

The development of impervious surfaces will result in a minor increase in the amount of run-off and sheet flow. Run off will be conveyed via onsite driveways to a storm drain collection point at the entrance of our project, storm water will drain to the existing culvert that extends under Hwy 227.

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Mitigation Monitoring and Reporting Plan

for

Tract 2542

Carpenter Canyon
San Luis Obispo County

Prepared for:

BFD Properties
c/o Mike Butcher and Carmen Green
166 N. 9th Street
Grover Beach, CA 93433

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Common Name	Scientific Name	State/Federal/CNPS protection status	Mitigation Ratio
Coast live oak	*Quercus agrifolia*	no state or federal protection; protected by County of San Luis Obispo	2:1 for impacted oaks; 4:1 for removed oaks
Well's manzanita	*Arctostaphylos wellsii*	no state or federal protection; CNPS list 1B	1:1 to restore manzanita canopy lost (aerial extent)
Straight-awned spineflower	*Chorizanthe rectispina*	Federal species of concern; CNPS 1B	2:1 aerial extent, if over 10% of the existing aerial extent is proposed for impact.
Obispo Indian paintbrush	*Castilleja densiflora* ssp. *obispoensis*	no state of federal protection; CNPS list 1B	1:1 aerial extent with associated grassland species

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III. Project/Impact Site

A. Responsible Parties

Project owner
Michael Butcher and Carmen Green
BFD Properties
171-A North 13th Street
Grover Beach, CA 93433
Contact: Carmen Green 805-489-8493

Project Manager
Glenn Rider
EDA Design Professionals
1998 Santa Barbara St
San Luis Obispo, CA 93401
805-549-8658

Mitigation Layout/Design
Stacie Gleim
EDA Design Professionals
1998 Santa Barbara St
San Luis Obispo, CA 93401
805-549-8658

Consulting Biologist
LynneDee Althouse
Althouse and Meade, Inc.
1875 Wellsona Road
Paso Robles, CA 93446
805-467-1041
FAX 467-1021

B. Location and Name of Project

Tract 2542 is located in the County of San Luis Obispo, at 757 Carpenter Canyon Road (Highway 227), in the vicinity of Arroyo Grande.

C. Brief Summary of Overall Project

The project consists of creating nine single family lots within a 27.4 acre parcel (APN 047-137-021). The area is zoned residential suburban. The project includes an open-space easement of 14 acres. Within the easement, a two-acre mitigation restoration area will be revegetated with oak and chaparral species (below) and protected in perpetuity.

Table 2. Proposed impacts and mitigations.

Common Name	Proposed Impacts	Proposed Mitigation	Units/Notes
Coast live oaks removed	25 trees	100 trees	gallon-size trees in groups of 3 to 5
Coast live oaks impacted	30 trees	60 trees	gallon-size trees
Well's manzanita	0.5 acre	0.5 acre (200 plants)	acres planted at a density of 400 plants per acre
Straight-awned spineflower	0.008 acre (about 10% of population area)	0.08 acre	maintain and enhance with minor replanting
Obispo Indian paintbrush	0.005 acre (less than 10% of population area)	0.08 acre	maintain habitat area with minor replanting

The following open space easements, mitigation areas, and enhancement areas are proposed for each lot (Table 3).

Table 3. Calculated areas for open space easement, mitigation site(s), and enhancement. The mitigation and enhancement areas are within the easement boundaries. (Areas are in acres.)

Lot #	easement	Mitigation/ restoration	enhancement
1	3.4		
2	1.4		0.02
3	1.0		0.42
4	2.1	0.4	0.1
5	1.0	0.9	
6	1.1	0.7	
7	0.7		
8	1.8		
9	1.5		
Total	14.0	2.0	0.54

D. Mitigation Restoration and Enhancement Areas to be Managed

The two-acre mitigation restoration area is currently dominated by eucalyptus trees, a non-native species that prevents native vegetation from covering the soil under the tree canopies. The mitigation area is within Lots 4, 5, and 6, with the majority of the mitigation area (2.0 acres) within Lot 6. The mitigation area will be incorporated into an open-space easement.

An additional 0.54 acre within the open space, along Highway 227 will be enhanced with coast live oaks, spineflower, and paintbrush in Lots 3 and 4.

E. Open Space Area

Approximately 14 acres of open-space easement is proposed along Highway 227 (Lots 1, 2, 3, and 4) and through lots 5 to 9. Lot 3 contains Obispo Indian paintbrush and a small patch of straight-awned spineflower that will be protected and enhanced. The open space contains dense oak woodland, patches of Well's manzanita, and grassland habitats plus the two-acre mitigation restoration area described above.

F. Existing Type(s), Functions, and Values of the Mitigation Area

The existing habitats in the proposed mitigation areas are eucalyptus grove, a disturbed dirt road, and a disturbance area created by off-road vehicles (Table 4). The enhancement area is oak woodland with a patch of annual grassland near Highway 227. The habitat value of the eucalyptus grove is generally very low. However, the eucalyptus grove is used by a great horned owl that may be nesting on site. The habitat value of the access road and disturbance area is very low.

The habitat value of the oak woodland and annual grassland that will be enhanced is high. The grassland contains two rare species (the straight-awned spineflower and the Obispo Indian paintbrush), and is bordered by a mature coast live oak woodland.

Table 4. Existing mitigation and enhancement site conditions. Habitat types, locations, functions and values are low for the mitigation area and high for the enhancement area.

Habitat Type	Location	Function	Value
Eucalyptus grove (mitigation site)	South end of property, Lot 4 (mitigation restoration area)	Non-native trees	Very Low
Existing access road and disturbance area (mitigation site)	Bottom of Lots 5 and 6	Disturbed grassland, dirt roadway	Very Low, except for patches of straight-awned spine flower
Oak woodland and annual grassland (enhancement area)	Highway 227	Well-developed native oak woodland and stable grassland with rare plant species	High

IV. Goals of the Mitigation Management Plan

The first goal of the mitigation plan is to preserve oaks and manzanita habitat in perpetuity. The project proposes to provide 14 acres of open space, more than half of the 27 acres parcel. The second goal is to restore oaks and rare plants where eucalyptus trees occupy the site. The third goal is to enhance other areas, with rare species and coast live oaks.

Within the open space easement area, there will be two acres that are carefully managed to restore oaks, manzanitas and spineflower (Table 5). The two acre area concentrates the mitigation planting and maintenance area in a location that is accessible and where irrigation is available to maintain trees and shrubs during the first few years.

Habitat enhancement areas will be planted and more passively managed (Table 6). For example, oaks will be irrigated with "gel-packs" and occasional buckets of water.

Types and Areas of Habitat to be Established, Restored, Enhanced, and/or Preserved

Table 5. Type of Habitat in Mitigation Management Area	**Acres**
Oak woodland and scattered oaks in mitigation restoration area	1.5
Well's manzanita chaparral and scattered oaks in mitigation restoration area	0.5
Straight-awned spineflower protected in mitigation area	0.07
Total mitigation area	2

Table 6. Type of Habitat in Additional Open Space Habitat Enhancement Areas	**Acres**
Obispo Indian paintbrush protected in open space	0.03
Oaks planted in open space	0.5
Straight-awned spineflower protected in open space	0.02
Total enhancement area	0.55

The open-space easement includes the protected, enhanced, and mitigation/restoration areas, a total of 14 acres.

A. Specific Functions and Values of Habitat Type(s) to be Established, Restored, Enhanced, and/or Preserved

The oak woodland and scattered oaks will provide nesting and breeding habitat for native bird and insect species.

The Well's manzanita chaparral will provide an area for this rare species and associated songbirds (such as wren tit, thrasher, and California towhee) to persist.

The proposed locations for straight-awned spineflower and Obispo Indian paintbrush will be in grassland and disturbed grassland habitats as required by these species. Grassland and disturbed grassland provide foraging habitat for native songbirds. The grassland protects the soil from erosion, and reduces stormwater runoff through this portion of the project site.

B. Time Lapse Between Start of Development and Restoration Success

Approximately 5 years after completion of installation will be required to attain success.

V. Implementation Plan for Mitigation Areas

A. Rationale for Expecting Implementation Success

Oak Woodland: The project site is dominated by patches of oak woodland with scattered oak trees. Removal of invasive eucalyptus trees will provide sunlight and water necessary for oak tree survival. Newly planted oaks will be cultivated for the first five years.

Well's manzanita: A co-dominant species on the property is Well's manzanita. This manzanita requires thin sandstone soils, conditions that dominate the mitigation area. Newly planted manzanitas will be cultivated for the first five years.

Straight-awned spineflower: This annual plant is generally less than two inches tall, and occurs in disturbed openings in chaparral. It is typically found on thin sandy soils where grasses are not dominant. Seeds will be collected in August and scattered in disturbed areas within the mitigation area to expand the existing boundaries of the population.

Obispo Indian paintbrush: This paintbrush is abundant in mesic grasslands in the coastal zone of San Luis Obispo County. Seeds will be collected in August. In November, seeds will be scattered with perennial and annual grasses in the open space, near existing plants where the soil is deep enough for grassland species to persist without irrigation after the first year.

B. Responsible Parties

The project developer, BFD Properties, will restore the mitigation areas.

Project monitor: County-approved restoration specialist

The lead agency: The County of San Luis Obispo

C. Schedule

Initial site preparation and eucalyptus removal will begin in the fall of 2004. Restoration and site enhancement will begin in the winter 2005. Installation will be complete by 2007.

D. Site Preparation

The site of the mitigation areas will be prepared in accordance with the approved project grading plan.

E. Planting Plan

The planting plan is shown on the project Mitigation Plan prepared by Stacie Gleim, EDA planner (Attachment A).

F. Irrigation Plan

The irrigation plan will be prepared with the final landscape plans by a qualified landscape contractor in accordance with the approved project. Irrigation will provide irrigation water appropriate for habitat establishment. A well must be improved prior to implementation. It may be appropriate to provide a large water tank for the purposes of irrigating the restoration site for a period of five years. Two inch hard line shall be provided under the roadway to Lots 4, 5, and 6.

Irrigation for the few shrubs and trees planted in Lot 3 will be provided by gel-packs and hand-watering, as needed.

G. Fencing and rodent protection

Fencing, rodent protection, and rodent control will be provided on an as-needed basis. Oaks will be protected with 3.0 to 4.0 ft. shrub tubes and support stakes. In areas prone to voles and gophers, tree root zones will be protected with aviary wire-mesh baskets (Figure 1).

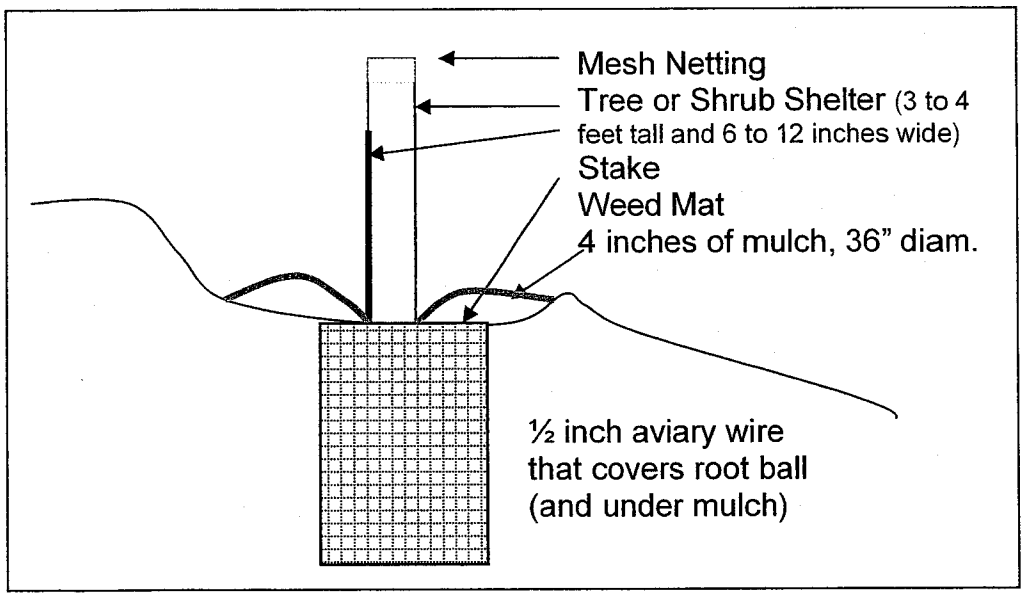

Figure 1. Tree protection.

H. Weed abatement

Weeds will be removed by hand around trees and shrubs. Weeds in open areas large enough for equipment will be mowed or weed-whacked. Herbicide will only be applied after hand and mechanical weed abatement measures have been used. Weeding will be scheduled three times per year: Spring, Summer, and Fall. Weed abatement efforts will focus on veldt grass (*Erharhta calycina)*, ice plant *(Carpobrotus* spp.), and eucalyptus re-sprouts and volunteers.

VI. Maintenance activities during the monitoring period

A. Maintenance Activities

The mitigation areas will be maintained after installation and project completion by the Home Owner's Association. Maintenance activities will be consistent with Performance Criteria described in this plan.

B. Responsible Parties

Mitigation Area Restoration and Enhancement: BFD Properties

Site maintenance: HOA, to be determined

C. Schedule

Year 1

Eucalyptus tree removal shall be done between September 1 and December 15 to avoid potential disturbance of nesting songbirds or raptors. If tree removal is conducted between February 1 and August 31, the trees shall be monitored by a qualified biologist. If nesting songbirds or raptors are present, the trees within 100 feet of the nesting birds may not be removed until the young have fledged.

The optimal period for installation of plant material is between December and March, when air temperatures are low and soil moisture is high. The contractor shall maintain the initial installation for 180 days following implementation.

Years 2 – 5

Monthly – inspect irrigation; provide deep, infrequent water

May – weed, check mulch and browse protection

July - weed, check mulch and browse protection

September - weed, check mulch and browse protection

The irrigation system will be checked and maintained once a month (minimum) during summer months. Irrigation will be reduced during years 3 to 5 (provided the years are average or above-average rainfall years).

The mitigation areas will be routinely maintained in the late May and September each year. In addition, trees and shrubs will be weeded and fertilized three times per year (Winter, Spring, and Fall). Mulch and browse protection will be checked and maintained as needed. Dead or severely damaged material will be replaced immediately.

VII. Monitoring Plan for the Mitigation Restoration Area

The goal of the Mitigation Restoration Area is to provide functional habitat value for native plants and animals. Performance criteria are provided to measure progress toward the goal. Performance criteria and yearly targets are presented below. Success rates that are below the stated minimum target for each criterion indicate the need for additional revegetation, plant protection, weed eradication, or erosion control efforts.

A. Performance Standards for Target Dates and Success Criteria

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Table 7. Performance Criteria.

Mitigation Areas						
Feature	**Performance Criteria**	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Trees	Survival	90%	80%	75%	75%	75%
Trees	Height	3 ft.	4 ft.	5 ft.	5.5 ft.	6 ft.
Trees	Canopy diameter	< 6 in.	6 in.	1 ft.	2 ft.	3 ft.
Manzanitas	Survival	90%	80%	75%	75%	75%
Manzanitas	Height	1 ft.	1.5 ft.	2 ft.	2.5 ft.	3 ft.
Manzanitas	Canopy diameter	.5 ft	1 ft.	1.5 ft.	2 ft.	2.5 ft.
Manzanitas	Canopy area covered	0.1 acre	0.2 acre	0.3 acre	0.4 acre	0.5 acre
Straight-awned spineflower	Canopy area covered	2000 sq. ft.	3000 sq. ft.	4000 sq. ft.	5000 sq. ft.	5000 sq. ft.
Obispo Indian Paintbrush	Canopy area covered	1360 sq. ft.	1400 sq. ft.	1500 sq. ft	1600 sq. ft	1600 sq. ft.

B. Monitoring Methods

The biologist who prepares the annual report will use the following methods to measure parameters on the site. The site monitor will indicate on a site map where any problem areas are located. In Year 1, the actual area of each habitat type will be measured and reported. If the size of each area is consistent with Section IVA, no additional measurement of site dimensions will be necessary in subsequent years. During all years, the following information will be monitored for the mitigation features listed.

Table 8. Monitoring methods for performance criteria.

Feature	Performance Criteria	Monitoring Method
Trees	Survival of trees planted	Number each tree with permanent tag on tree stake. Use Forester's blue anodized aluminum tags (Ben Meadows 4JB-152651. Individual trees will be monitored for 5 years. Calculate percent survival each year.
Trees	Height	Measure all trees. Report average and range of heights.
Trees	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Manzanitas	Survival of shrubs planted	Count shrubs. Calculate survival percentage each year.
Manzanitas	Height	Estimate height of all shrubs. Report average and range of heights.
Manzanitas	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Straight-awned spineflower	Canopy area covered	Estimate canopy coverage in each patch. Report total area of all patches.
Obispo Indian paintbrush	Canopy area covered	Estimate canopy coverage in each patch. Report total area of all patches.
Other	Trash	Inspect visually and report.
Other	Erosion	Inspect visually and report.
Other	Human intrusion/disturbance	Inspect visually and report.
Other	Pest damage	Inspect visually and report.
Weeds	% cover	Inspect visually and report

C. Monitoring Schedule

The site will be monitored by a County qualified restoration specialist during the spring (May or June) for five years. If the project does not meet the success criteria by year 5, remediation will be continued and the project monitored until success is met.

D. Annual Monitoring Reports

Annual monitoring reports will be submitted to the County of San Luis Obispo by July 31 of each year. The report will include a site map where any problem areas are located. A summary table and discussion shall compare performance standards and success criteria with the annual monitoring data.

The following information will be included in the monitoring reports for the project. Submit reports unbound for inclusion into the official case file. Electronic copies of the reports can be submitted in lieu of written reports.

Pages 1-2

A. Project Information
    1. Project Name
    2. Applicant name, address, and phone number
    3. Consultant name, address, and phone number (for permit applications if necessary)
    4. County file number
    5. Acres and type(s) of habitat
    6. Date project construction commenced
    7. Location of the project and directions to site (including latitude/longitude or UTM coordinates)

B. Brief Summary of Remedial Action(s) and Maintenance of the Mitigation Habitat Areas

Page 2 or 3

A. Map of the mitigation habitat areas (year 1)
    1. 8 ½ by 11 diagram of the site including:
        a. Habitat types (as constructed)
        b. Locations of photographic record stations
        c. Landmarks
        d. Inset defining location of the site

Page 3 or 4

A. List success criteria
B. Table of results form the monitoring visits versus performance standards for specified target dates

Page 5, 6 or 7:

A. Summary of field data taken to determine compliance with performance standards and success criteria (at least one page, no more than two pages)

Page 6, 7, or 8 (if needed):

A. Summary of any significant events that occurred on the site that may affect mitigation success criteria

VIII. References

Althouse and Meade, Inc. 2003. Botanical Assessment for APN 047-137-021, a 27-acdre property in Carpenter Canyon, San Luis Obispo County. Prepared for Butcher and Chambers CPA, Grover Beach.

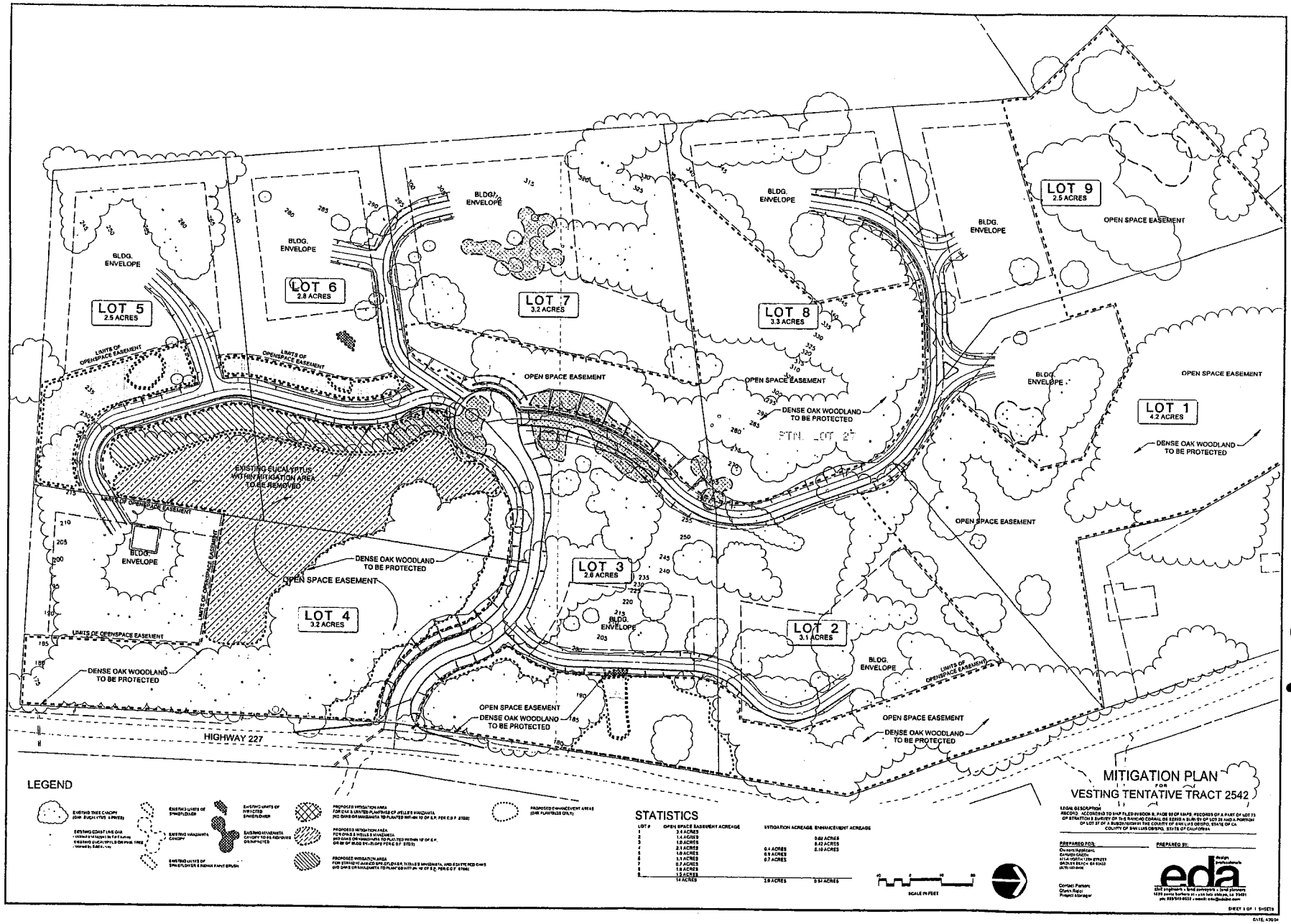
CNDDB. 2004. Special vascular plants, bryophytes, and lichens list. January.

EDA. 2004. Vesting tentative map for Tract 2542, sheet 1 of 3. Prepared for Carmen Green, Grover Beach [KI:\22780100\TM\2780100TM-01.dwg; modified 4/30/04 by stacieg]

EDA. 2004. Mitigation plan for Tract 2542, sheet 1 of 1. Prepared for Carmen Green, Grover Beach.

Attachment A –Mitigation Plan Site Map

(Map prepared by EDA Design Professionals)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LOT 4
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BLDG. ENVELOPE
OPEN SPACE EASEMENT
LIMITS OF OPENSPACE EASEMENT
DENSE OAK WOODLAND TO BE PROTECTED
EXISTING EUCALYPTUS WITHIN MITIGATION AREA TO BE REMOVED
HIGHWAY 227
LEGEND
STATISTICS
MITIGATION PLAN
FOR
VESTING TENTATIVE TRACT 2542
SCALE IN FEET
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